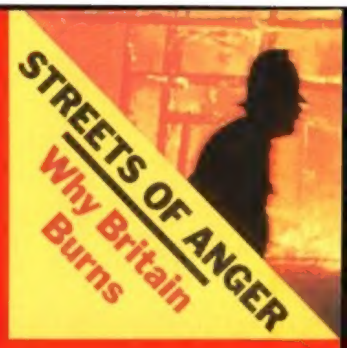
JULY 20, 1981 $1.50

TIME

Justice—At Last

Reagan Nominee
Sandra O'Connor



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Why Britain Burns

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JULY 20, 1981 Vol. 118 No. 3

TIME

THE WEEKLY NEWSMAGAZINE

A Letter from the Publisher

Occasionally, the difficult nature of an unusual story demands a special approach by the journalists who cover it. For this week's report on the controversy over human rights in Argentina, Caribbean Bureau Chief William McWhirter was assigned for three weeks to Argentina, where he conducted more than 70 interviews with businessmen, newspaper editors, sociologists, rabbis and government officials. Says McWhirter: "Almost no one passing through Buenos Aires would think there was anything wrong there—the streets are peaceful, the restaurants full, and the tango clubs are still jammed until dawn. It is amazing how ordinary and normal some societies appear even when they are going through events that are, in fact, all but tearing them apart."

MEYER—BLACK STAR

McWhirter in an infrequent stint at a desk

McWhirter, who joined TIME after graduating from Princeton University in 1963, is a seasoned observer of social upheavals. He was stationed in Saigon during the last days of the American involvement in Viet Nam and reported on Iran from the overthrow of the Shah until the arrival of Ayatullah Khomeini. Before moving to Miami to take charge of TIME's new Caribbean bureau last fall, he served for 3½ years as bureau chief in Johannesburg, a base from which he covered the painful birth of Zimbabwe as a nation. While he traced the subtle web of oppression in Argentine life, McWhirter's most poignant revelations came from Jewish émigrés who survived Nazi concentration camps only to have relatives join "the disappeared ones," the term for those who vanish into the prisons and torture chambers of the state security police. Says McWhirter: "As they relived the storm warnings of their own trauma in Nazi Germany, it was again brought home to me how deeply the issue has wounded and divided the Jews of Argentina. They left from our conversations exhausted and emotionally drained. I, too, went away haunted by the experience."

The story was researched by Heyden White and written by Associate Editor George Russell, who was Buenos Aires bureau chief for two years before returning last March to New York as a writer. Russell, who was able to draw on his own firsthand experiences, sees no early end to Argentina's problems. Says he: "Military dictatorships are never very happy, and Argentina is a sad and troubled country. I fear it's going to remain sad and troubled for quite some time." McWhirter saw nothing to contradict that judgment.

John a. Meyer

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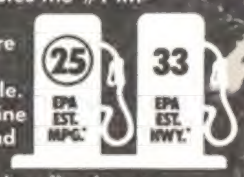

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Letters

Mitterrand Wins

To the Editors:

I felt reassured to see that TIME did not indulge in stupidly characterizing the results of the French elections [June 29] as an irremediable turn to the left.

Marc Chanliau
Belfort, France

I hope the French can make real progress with their new Socialist government. It's about time a country outside the Third World cuts the puppet strings of the U.S.

Gary Marquez
Fayetteville, N.C.

After reading your article on President Mitterrand, I see that we have no need to meddle in a situation that is not our own. The French will destroy France without our help, and I believe we owe them the opportunity to try.

John A. Heldt
Pendleton, Ore.

The French voters may soon realize that the rose is full of thorns.

Janette Thomas
Aulnay-sous-Bois, France

Baseball Blues

I am a 29-year-old woman who loves baseball. I do not care what the strike issues are or who's right and who's wrong [June 29]. I just want to be able to watch baseball again.

Debra Levy
Philadelphia

I discovered there was life after 30. Next year I hope to realize there is life after 40. But is there life after baseball? Perhaps, but I have yet to find it.

Jo A. Hall
Dayton

Yes, there is life after baseball—and its name is soccer.

Robert Morgan
Chattanooga, Tenn.

I just bought $30 worth of fishing gear and plan to spend pleasant Saturdays on Potato Lake rather than listening to the nitpicky diamond dialogue between Tony Kubek and Joe Garagiola. The next strike will involve only me and a fish.

Dick Domann
Eau Claire, Wis.

Presidential Priorities

Your article suggesting that President Reagan is incompetent in foreign policy matters [June 29] makes me want to bite nails. The fact that the President doesn't have pat answers to all foreign policy questions does not mean he is ignorant of the issues. Let the Secretary of Defense and the Secretary of State do their jobs, while the President concentrates on a much more pressing issue—the survival of our economic system.

Mark Galaway
Yukon, Okla.

How successfully or unsuccessfully our country works internally helps to determine our image abroad. Given a chance and some cooperation, our President just might solve a few economic woes at home. It's hard to be concerned with world bombings when high home-mortgage rates, unemployment and inflation are knocking at our doors every day.

Linda Crumb
Lone Grove, Okla.

Battle over the Butte

In your story on the fight to save Crested Butte [June 29], readers may have missed the point that the "backyard" we are trying to spare and the molybdenum under the ground both belong to all Americans. Multinationals like Amax, under the existing laws, would take that resource and in return would leave the people of the U.S. with one more ecological time bomb to cope with.

The thousands of people who visit the public lands around Crested Butte each year continue to benefit from our stewardship. In the future we hope to have more than just photographs to show our children what used to be here—unspeakable beauty.

W Mitchell, Mayor
Crested Butte, Colo.

After the mountains around Crested Butte are mined, will the plastic and paint made from the molybdenum make up for the loss of one of the few lovely places left to us?

Roxann Dement
Dallas

The well-being of all Americans is intimately tied to preventing a rape-and-run mining venture from destroying the Colorado area of Crested Butte. Amax spends large amounts of money trying to find new uses for molybdenum (adequate supplies of which are available elsewhere). Part of what is produced in the U.S. goes to the Soviet Union. Should a beautiful part of America be torn up to guarantee that the steel in Soviet ICBM warheads is adequately hardened?

Paul R. Ehrlich
Crested Butte, Colo.

Death of a Twin

I was outraged to read of a 40-year-old mother taking the life of one of her unborn twins because it showed signs of Down's syndrome [June 29]. God planned to give this unborn boy a perfectly healthy brother to be by his side. He knew what he was doing, but I guess he chose the wrong parents.

Elaine Dietz
South Plainfield, N.J.

It's one thing to try to prevent genetic abnormalities, but to kill an innocent baby because it is "less than perfect" is more than I can comprehend.

Deborah K. Behounek
Ontario, Calif.

Piercing the beating heart of a fetus and withdrawing half its blood so it will wither and die is murder. This procedure should not be deemed a medical breakthrough. It's a crime.

Kathleen M. Lucid
Richmond, Ind.

What is next? Killing unborn children because they have only one arm? Or perhaps because they don't promise to have blue eyes and blond hair?

Greg Rodych
Calgary, Alta.

As the mother of a Down's syndrome young man, I would never wish that my son had not been born. He has added to the building of character in my six other children.

Mrs. Mike McElroy
Torrance, Calif.

Protecting the Press

The attempt by the Western broadcast and news media to maintain international press freedom [June 1] has my support. Communism and other dictatorial regimes should not be able to hide their daily atrocities. UNESCO must not engineer suppression of the truth.

Micheal W. Pensaud
Uitvlugt, Guyana

Reactor Raid

Menachem Begin shakes hands with Egyptian President Anwar Sadat and then makes a mockery and farce out of the hope for peace in the Middle East by attacking Iraq's nuclear reactor [June 22]. When will he and his government learn

HOW TO USE A SELF-SERVICE GAS STATION

YOU CAN SAVE MONEY BY DOING SIMPLE CAR MAINTENANCE YOURSELF.

Gasoline or diesel fuel usually costs less at a self-service station. But too many people think that filling a fuel tank is all there is to self service. You'll do your automobile the most good if you also include a few simple maintenance procedures.

Most self-service pumps have easy-to-follow directions printed right on them. Before you drive into a self-service station, it's helpful to know whether your car takes leaded gas, unleaded gas, or diesel fuel, and also where your fuel tank is located, so that you can pull up to the proper pump and have the fuel tank close at hand. The type of fuel your car requires should be printed on the instrument panel, and the fuel tank location can be found in the owner's manual.

If you don't find instructions on the pump, here's what to do at most stations: 1. Turn off the engine. 2. Remove the fuel cap. 3. Remove the nozzle from the pump and turn the pump lever to "ON." 4. Place the nozzle in your fuel tank and squeeze the trigger. 5. When the trigger clicks off, remove the nozzle from the tank and turn the pump lever to "OFF." 6. Replace your fuel cap.

There are some things, however, that the directions may not tell you. Fuel fumes are highly flammable, so you should never smoke at a service station. Also, fuel caps are easy to forget and lose, so when you remove the cap try to wedge it in between the door to the tank and body of the car, where you're not likely to forget it. All 1981 and most older General Motors cars have fuel caps that twist on and then click when secure.

When you're filling up, try to avoid topping off your tank, since it may overflow. If fuel does spill on your car, you should wash it off as soon as possible, to avoid paint damage.

After you fill your tank, remember to clean your windshield. If you've been driving in bad weather, be sure to wipe off your side mirrors and headlights, too.

A quick-maintenance inspection can help you spot potential trouble. You don't need any expensive tools—just a good quality tire gauge, a rag or paper towel, an oil can spout kept in a plastic bag, and a jug of premixed windshield washer fluid, such as GM Optikleen.

To check your engine oil, pull out the dipstick, wipe it clean, insert it again, then pull it back out. The oil should be between the marks labeled "FULL" and "ADD." If it's below "ADD," add a quart of the oil recommended in your GM owner's manual.

You should also check the coolant level. Most GM cars have a see-through recovery tank. If the level looks low, add coolant to this tank. Never remove the radiator cap when the engine is hot, because pressurized coolant may overflow and burn you.

Periodically check your brake, transmission, and power steering fluid levels. Your owner's manual tells you how. Remember to keep the windshield washer reservoir filled with fluid, too, especially in the winter when you use it most often.

Most GM cars are equipped with maintenance-free batteries. But it's still wise to make sure their cables are on tight and the ends aren't frayed. Look for fraying, cracks, or other signs of wear on belts, too.

Look at tires for signs of wear or worn-out edges which can indicate improper inflation or the need for alignment. Once a month, you should use a tire gauge to check the pressure. In GM cars, the recommended pressure is on the left front door edge or inside the glove compartment. Recommended pressure is for cold tires, so check them before you drive more than a mile.

You'll be putting self-service stations to their best use if you include maintenance checks in your stops for gas. Your GM owner's manual can be an invaluable guide to proper car care. Please use it.

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that you can't shake one Arab's hand and hold a gun to another Arab's head and call it making peace? Put down your guns, shake your enemy's hand and see how fast you'll have fewer enemies. The majority of the population of the Middle East are Arab, so wouldn't it be easier to learn to live with them instead of trying to live in spite of them?

Dahlia Khalifa
Cairo

Cleaning Up TV

For Procter & Gamble to knuckle under to a campaign of demagoguery, innuendo and selective threat by the Rev. Donald Wildmon's Coalition for Better Television [June 29] is an act of cowardice. As long as they withhold their sponsorship from shows that I prefer, I shall clean myself and my household with homemade soap.

John C. Adams
Harrisburg, Pa.

The righteous people in early America who accused helpless women of being witches have something in common with the modern Moral Majority—the incredible arrogance that makes them assume they have the right to impose their notions of morality and immorality upon the lives of others.

Denis Waterbury
Portland, Ore.

Donald Wildmon has provided a voice and an organization for millions of Americans who have been watching helplessly as commercial exploitation devastated the minds and values of the youth of this nation.

Evelyn Delbridge
Edwardsville, Ill.

Baptist Hubbub

As a Southern Baptist and soon-to-be student at a seminary, I have been following my denomination's deliberations with keen interest [June 22]. The real issue is the struggle for power and not biblical inerrancy. If the introduction of biblical hard-liners to seminary boards will lead to the exclusion of moderate forces in Baptist academic life, then it will be a sad day for the freedom of academic pursuit.

Lloyd Rodgers
Chester, Va.

The Rev. Bailey Smith himself lends partial credence to the doctrine of biblical inerrancy that he so vigorously champions. The poisonous remarks emanating from his pulpit are almost enough to persuade a skeptical reader of *Genesis* that talking snakes do exist.

Paul R. Frommer
Los Angeles

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TIME/JULY 20, 1981

COVER STORY

The Brethren's First Sister

A Supreme Court nominee—and a triumph for common sense

Ronald Reagan lived up to a campaign pledge last week, and the nation cheered. At a hastily arranged television appearance in the White House press room, the President referred to his promise as a candidate that he would name a woman to the Supreme Court, explaining: "That is not to say I would appoint a woman merely to do so. That would not be fair to women, nor to future generations of all Americans whose lives are so deeply affected by decisions of the court. Rather, I pledged to appoint a woman who meets the very high standards I demand of all court appointees." So saying, he introduced his nominee to succeed retiring Associate Justice Potter Stewart as "a person for all seasons," with "unique qualities of temperament, fairness, intellectual capacity." She was Sandra Day O'Connor, 51, the first woman to serve as majority leader of a U.S. state legislature and, since 1979, a judge in the Arizona State Court of Appeals.

O'Connor's name had been floated about in rumors ever since Stewart, 66, announced his intention to retire last month, but her nomination, which must be approved by the Senate in September, was a stunning break with tradition. In its 191-year history, 101 judges have served on the nation's highest court, and all have been men. By giving the brethren their first sister, Reagan provided not only a breakthrough on the bench but a powerful push forward in the shamefully long and needlessly tortuous march of women toward full equality in American society.

To be sure, Reagan's announcement that he intended to elevate O'Connor to the highest U.S. Government post ever held by a woman had its roots in partisan politics. Mainly because he had been portrayed by Jimmy Carter as a man who might blunder the nation into war, Reagan had lacked strong support among women in last year's campaign. Moreover, his Administration's record of appointing women to office is very poor: only one highly visible Cabinet-level post (Ambassador to the United Nations Jeane Kirkpatrick); only 45 women among the 450 highest positions.

There were also ironies aplenty in Reagan's choice of O'Connor. As a true-blue conservative, he had been widely expected to select a rigidly doctrinaire jurist in order to stamp his own political ideology on the court. Instead, he picked a meticulous legal thinker whose devotion to precedent and legal process holds clear priority over her personal politics,

Judge O'Connor in her Phoenix chambers after the President announced her nomination to the high court

STEVE NORTHUP

which are Republican conservative.

Whether Reagan was playing shrewd politics, or merely following his own best instincts, almost did not matter. After naming O'Connor, the President suddenly found himself awash in praise from a wide range of political liberals, moderates and old-guard conservatives. At the same time, he was under harsh assault from the moral-issue zealots in the New Right who helped him reach the Oval Office. Although they had little chance of blocking the nomination, they charged that O'Connor was a closet supporter of the ERA and favored abortion.

Other than on the far right, reaction to the nomination ranged from warm to ecstatic. Feminists generally were pleased. Eleanor Smeal, president of the National Organization for Women, termed the choice "a major victory for women's rights." Patricia Ireland, a Miami attorney and a regional director of NOW, said she was "thrilled and excited" by the selection, adding: "Nine older men do not have the same perspective on issues like sex discrimination, reproductive rights or the issues that affect women's rights directly." Declared former Texas Congresswoman Barbara Jordan, a black lawyer: "I congratulate the President. The Supreme Court was the last bastion of the male: a stale dark room that needed to be cracked open. I don't know the lady, but if she's a good lawyer and believes in the Constitution, she'll be all right."

"Unique qualities of temperament, fairness, intellectual capacity."

Liberal politicians joined the praise. House Speaker Tip O'Neill, who has been feuding with Reagan over his budget cuts and tax policies, termed the choice "the best thing he's done since he was inaugurated." Said Democratic Senator Edward Kennedy, who sits on the Judiciary Committee that will hold hearings on O'Connor's nomination: "Every American can take pride in the President's commitment to select such a woman for this critical office."

Many conservative Republican Senators added their endorsement. Utah's Orrin Hatch called it "a fine choice." Reagan's close friend, Nevada Senator Paul Laxalt, was enthusiastic, and Senate Majority Leader Howard Baker said he was "delighted by the nomination." But South Carolina's Strom Thurmond, chairman of the Judiciary Committee, was a bit more restrained. "I intend to support her," he said, "unless something comes up."

No one championed O'Connor more forcefully than her longtime Arizona friend, Senator Barry Goldwater, whose early urging had helped her gain White House support. Noting the opposition to O'Connor from the far-right groups, Goldwater declared: "I don't like getting kicked around by people who call themselves conservatives on a nonconservative matter. It is a question of who is best for the court. If there is going to be a fight in

With the sex barrier broken, the Supreme Court's motto, "Equal Justice Under Law," took on a new dimension.

the Senate, you are going to find 'Old Goldy' fighting like hell." Goldwater attacked directly a claim by the Rev. Jerry Falwell, head of the fundamentalist Moral Majority, that all "good Christians" should be concerned about the appointment. Scoffed Old Goldy: "Every good Christian ought to kick Falwell right in the ass."

But the protests from the New Right were blistering. "We feel we've been betrayed," charged Paul Brown, head of the antiabortion Life Amendment Political Action Committee. Brown claimed that Reagan had violated a Republican Party platform plank, which declared that only people who believe in "traditional family values and the sanctity of the innocent human life" should be made judges. "We took the G.O.P. platform to be the Bible," he said. Carolyn Gerster, former president of the National Right to Life Committee and a physician from Scottsdale, Ariz., who knows O'Connor well, argued that the judge "is unqualified because she's proabortion. We're going to fight this one on the beaches." Also leading the charge from the right were Howard Phillips, head of the Conservative Caucus, and Richard Viguerie, publisher of *Conservative Digest*. Declared Viguerie: "We've been challenged. The White House has said we're a paper tiger. They've left us no choice but to fight."

Despite the outcry, the rightists had no effective leader in the Senate who could influence the outcome of O'Connor's confirmation hearings and floor vote. North Carolina Republican Jesse Helms was urged to take up the cause, but remained aloof last week. Trying to stamp out the brushfire, Reagan met with Helms to assure him that O'Connor's legislative record was not clearly pro-ERA and prochoice on abortion, as her opponents had charged. Reagan declared that "I am completely satisfied" with O'Connor's attitude. In a 45-minute meeting with the President at the White House on July 1, O'Connor had told Reagan that she found abortion "personally repugnant," and that she considered abortion "an appropriate subject for state regulation."

Much of the furor was based on O'Connor's votes in the Arizona senate. Far more important than her stand on abortion—an issue on which virtually no current woman jurist could fully satisfy the New Right—was whether she was qualified to serve on the Supreme Court. On that point, legal scholars acquainted with her past and lawyers who had worked with her in Arizona were in wide agreement: while she had much to learn about federal judicial issues, she was a brilliant lawyer with a capacity to learn quickly. Indeed, her legislative background gives her a working knowledge of the lawmaking process that none of the current Justices can match.

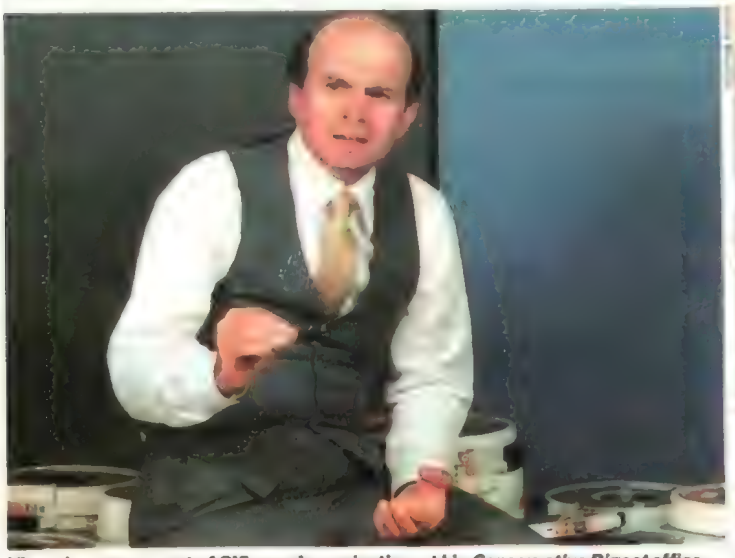
"She's entirely competent, a nominee of potentially great distinction," said Harvard Law Professor Laurence Tribe. Yale Law Professor Paul Gewirtz termed O'Connor "smart, fair, self-confident and altogether at home with technical legal issues." Michigan Law's Yale Kamisar, a judicial liberal, said of Reagan: "Give the devil his due: it was a pretty good appointment."

In Arizona, lawyers described her as a painstakingly careful attorney and a judge who ran her courtroom with taut discipline and a clear disdain for lawyers who had not done their homework. "She handled her work with a certain meticulousness, an eye for legal detail," recalled Phoenix Lawyer John Frank. Added John McGowan, another Phoenix attorney: "She's a very conscientious, very careful lawyer." Some defense lawyers, however, found O'Connor's strict demeanor on the bench so intimidating that they dubbed her "the bitch queen."

Those who have read her 125 decisions on the Arizona appeals court, which deal with such routine legal issues as workmen's compensation, divorce settlements and tort actions, see her in the mold of judges who exercise "judicial restraint." "She tends to be a literalist with acute respect for statutes," said Frank. O'Connor's colleagues consider her decisions crisp and well written. "Mercifully brief and cogent," said McGowan. "Clear, lucid and orderly," said Frank. But one Supreme Court clerk finds her writing "perfectly ordinary—no different from any other 2,000 judges around the country."

How did Reagan happen to pluck O'Connor out of the relative obscurity of a state court? For one thing, he had plenty of time to order a thorough search for prospects. Reagan learned of Stewart's intention to resign on April 21, as he recuperated from the assassination attempt. When Attorney General William French Smith and Presidential Counsellor Edwin Meese gave Reagan the news, he promptly reminded them of his promise to appoint a woman.

O'Connor's name had initially surfaced early at Justice as a possible choice to head the department's civil division. The old-boy network of Stanford had brought her to Smith's attention. Among those who recommended O'Connor, as the search for a new Justice intensified, Stanford Law Dean Charles Myers, former Stanford Professor William Baxter, who now heads the Justice Department's antitrust division, and one of Stanford Law's most eminent alumni, Justice Wil-



Viguerie, an opponent of O'Connor's nomination, at his *Conservative Digest* office

Phillips of the Conservative Caucus at press conference

The outrage on the far right was over abortion; her qualifications to sit on the high court did not really matter

liam Rehnquist. He is clearly the court's most consistent and activist conservative, so his advice that O'Connor was the best woman for the court carried clout. When Goldwater weighed in, too, O'Connor's cause flourished.

At a White House meeting on June 23, Smith handed the President a list of roughly 25 candidates; about half of them were women. Some White House aides, in the words of a female Reagan admirer, "have a big problem in coping with professional women," and were neither enthusiastic nor optimistic about finding a qualified woman judge. The President, however, again conveyed his "clear preference" for a woman. By then, speculation about his possible choice of a woman was spreading. The nomination of a doctrinaire male conservative, which might have been his inclination, would have brought sharp criticism. Beyond that, passing over a qualified female candidate now would put even more pressure on Reagan to find one for the next vacancy —and he would get much less credit by doing it later rather than earlier.

Another factor seemed significant: one member of the Supreme Court quietly passed word to the Justice Department that some of his aging colleagues were watching the selection carefully. If it was a reasonable choice, someone they could respect, they might decide there was little to fear from Reagan's attitude toward the court and follow Stewart into retirement. Otherwise they might hang on as long as they were physically able. Two of the Justices, William Brennan, 75, and Thurgood Marshall, 73, are liberals Reagan might like to replace.

Regardless of the motives, Reagan's men moved expeditiously to seek out a woman who met the President's main criteria. She had to be both a political conservative, meaning that she had a record of support for the kinds of issues Reagan favors, and a judicial conservative, meaning that she had a strong sense of the court's institutional limitations and would not read her own views into the law. The President even cautioned his search team that he did not want any single-issue litmus test, such as a prospect's views on abortion or ERA, to exclude her automatically from further consideration. That, of course, is precisely what critics of the O'Connor nomination wished the President had done.

By late June the list of women candidates had dwindled to four: O'Connor; Michigan's Cornelia Kennedy, 57, a Carter-appointed judge on the Sixth U.S. Circuit Court of Appeals; Mary Coleman, 66, chief justice of the Michigan Supreme Court; and Amalya L. Kearse, 44, a black who sits on New York's Second Circuit Court of Appeals. At this point none of the men was still in serious contention.

Smith sent his chief counselor, Kenneth Starr, and Jonathan Rose, an Assistant Attorney General, to Phoenix on June 27 to interview O'Connor and Ar-

Answers to Some Accusations

"With this nomination, the Administration has effectively said, 'Goodbye, we don't need you.' " That was the angry complaint of Mrs. Connaught Marshner, head of the National Pro-Family Coalition, at a Washington press conference, where luminaries of the New Right launched an all-out attack on Ronald Reagan's first nominee to the Supreme Court. Armed with accusations against Sandra O'Connor's record in the Arizona state senate—some of them gleaned from records, others based on insinuation and surmise—the critics charged that she is soft on touchstone social problems like abortion.

None of the charges have anything to do with O'Connor's suitability for a seat on the Supreme Court; by the standards of the New Right the seven Justices who recognized the constitutional right to an abortion in the 1973 *Roe* vs. *Wade* case would be disqualified for their decision. Moreover, it is unlikely that the New Right accusations will influence many Senators.

The New Right's complaints against O'Connor center on four issues:

Abortion. Right-to-lifers have attacked O'Connor for votes she cast as a state legislator on several separate bills. In 1973 she co-sponsored a measure that would make "all medically acceptable family-planning methods and information" available to anyone who wanted it. These "methods," her critics contend, might be interpreted to include abortion. In a vote of the Arizona senate's judiciary committee the following year, O'Connor reportedly opposed a "right-to-life memorial" that called upon Congress to extend constitutional protection to unborn babies, except where the pregnant mother's life was at stake. Also in 1974, she opposed a University of Arizona stadium bond issue after a rider had been attached banning state abortion funding to the university hospital.

O'Connor as Arizona senator

O'Connor does not recall her vote on the pro-life memorial (it was not officially recorded). She has solid, if legalistic, explanations for her other two votes. A strict constructionist, she does not believe that her family-planning measure could be interpreted to include abortion. The bond-issue rider, she believed, was not germane to the bill and therefore violated the state constitution.

Equal Rights Amendment. O'Connor, as her critics accurately charge, favored passage of the amendment by the state legislature in 1972, and two years later attempted to put ERA before the voters in a referendum. But she did not subsequently press for its passage. Her critics fail to note that other conservatives favored ERA at first and later changed their minds. In any case, Arizona is one of the states least likely to ratify ERA.

Pornography. Charges that O'Connor is soft on pornography are soft indeed. Principally, they stem from what New Rightists call her "drastic amending" of a bill that would have banned adult bookstores within a one-mile radius of schools and parks. O'Connor altered the restriction to 4,000 feet, but she clearly had no desire to corrupt youth. One possible motive: getting state law to conform with federal statutes, thus reducing the possibility of court challenges.

Drinking. In 1972, according to O'Connor's critics, she challenged a Democratic Senator who sought to remove the right to drink alcoholic beverages from a bill that would grant 18-year-olds all the rights of adulthood. The implication of the criticism is that O'Connor was soft on booze. The implication is wrong. O'Connor's point was that the proposed amendment was far too vague and a bill that included it might not withstand a challenge from the courts.

Apart from the disclosure by the White House that she described abortion as "personally repugnant," O'Connor remained silent last week about all of the New Right charges. Her suitable explanation: she would reserve her statements for the Senate confirmation hearings.

The Lazy B Ranch on New Mexico–Arizona border, where O'Connor grew up

"We played with dolls, but we knew what to do with screwdrivers and nails."

izonans who knew her well. Reporting back, Starr and Rose cited her experience as a legislator, a state government lawyer, and a trial and appellate judge, which made her aware of the practicalities of each branch of government. Smith liked her judicial inclination to defer to the legislative and executive branches. She was also seen as tough on law-and-order and reluctant to rule against police on technicalities. "She really made it easy," recalled one participant in the search. "She was the right age, had the right philosophy, the right combination of experience, the right political affiliation, the right backing. She just stood out among the women."

O'Connor flew to Washington on June 29 for a breakfast the next morning with Smith in a secret hotel hideaway. That same day she met with Reagan's senior staff, including the troika of Meese, James Baker and Michael Deaver. On July 1 she was invited to the Oval Office by Reagan. The 10 a.m. meeting was unannounced and, like countless other private presidential meetings, went unnoticed by reporters. She moved quickly to break any tension in the talks by reminding the President that they had met a decade ago, when he was Governor of California and she was in the Arizona senate. They had talked about the kinds of limitations on spending being considered in both states, she recalled. Quipped Reagan with a smile: "Yours passed, but mine didn't." Then Reagan and O'Connor settled into two wing-back armchairs and chatted for 45 minutes. "She puts you at ease," observed one admiring participant in the meeting. "She's a real charmer."

Like Reagan, Sandra O'Connor has spent many of her happiest days on a Western ranch, riding horses and even roping steers. Her parents, Harry and Ada Mae Day, operated a 260-sq.-mi. cattle spread straddling the New Mexico–Arizona border. Called the Lazy B, it had been in the Day family since 1881 —three decades before Arizona became a state. Her grandfather had traveled from Vermont to found it. Sandra, first of the Days' three children, was born in an El Paso hospital because the remote area in which they lived had no medical facilities; their ranch house had neither electricity nor running water. Greenlee County also had no schools that met her parents' standards, so Sandra spent much of her youth with a grandmother in El Paso, attending the private Radford School and later a public high school there.

"I was always homesick," O'Connor told TIME last week. But she loved her summers on the ranch, where she had plenty of time to read. A dog-eared *Book of Knowledge* encyclopedia, copies of the *National Geographic Magazine* and her father's assorted volumes from the Book-of-the-Month Club fed her curiosity. By the age of ten, she could drive both a truck and a tractor. "I didn't do all the things boys did, but I fixed windmills and repaired fences." Recalls her girlhood friend and cousin, Flournoy Manzo: "We played with dolls, but we knew what to do with screwdrivers and nails too. Living on a ranch made us very self-sufficient."

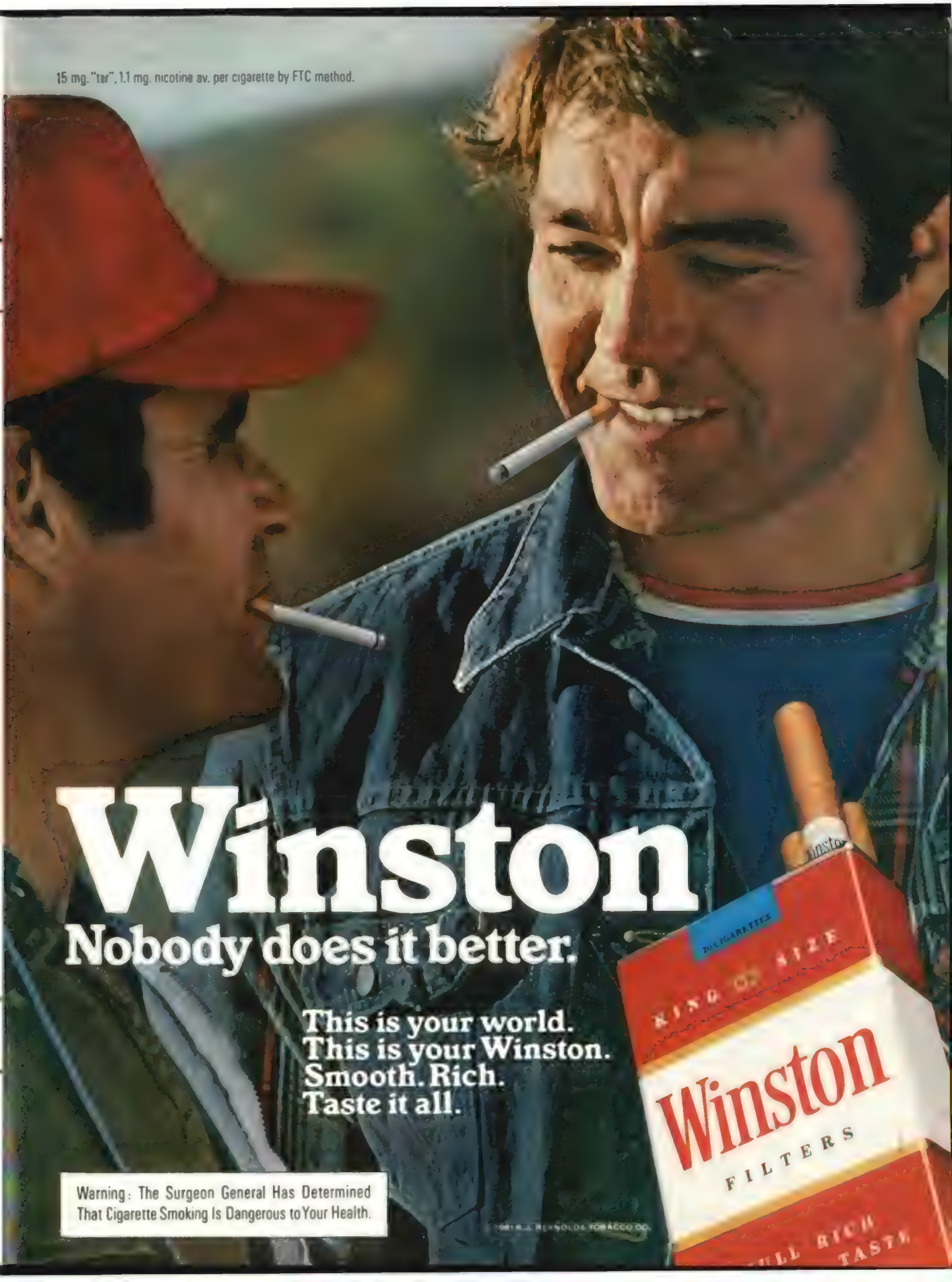
Sandra (right) with mother, brother and sister in 1940

Sandra finished high school at the age of 16 and did something her father had always longed to do: attend Stanford. He had been forced to give up his college plans and take over the family ranch when Sandra's grandfather died. "I only applied to Stanford and no place else," said Sandra. She rushed through her undergraduate work and law studies in just five years, graduating *magna cum laude* and joining the honorary Society of the Coif, which accepts only the best law students. She won a post on the *Stanford Law Review*, where she met her future husband John, who was one class behind her. She ranked in the top ten in her class scholastically. So too did Rehnquist, who had graduated six months earlier.

Degree in hand, O'Connor collided head-on with the legal profession's prejudice against women: "I interviewed with law firms in Los Angeles and San Francisco, but none had ever hired a woman before as a lawyer, and they were not prepared to do so." Among the firms to which she applied was Los Angeles' Gibson, Dunn & Crutcher. One of its partners was William French Smith. The firm offered to hire her—as a legal secretary.

O'Connor took a job as a deputy county attorney in San Mateo, Calif., while John, whom she had married in 1952, finished law school. When he joined the Army's Judge Advocate General's Corps, the two lived in Frankfurt, West Germany, for three years, where she worked as a civilian lawyer for the Quartermaster Corps. They returned to the U.S., moving to Phoenix in 1957, when the first of their three sons was born. All the children attended a Jesuit-run high school in Phoenix (Sandra O'Connor is an Episcopalian, her husband a former Roman Catholic). Scott, 23, graduated from Stanford last year; Brian, 21, attends Colorado College; and Jay, 19, is a sophomore at Stanford. After a brief fling at running her own law firm in a Phoenix suburb, where she handled everything from leases to drunken driving cases, she spent five years as a full-time housewife. She was a typical joiner: president of the Junior League, adviser to the Salvation Army, auxiliary volunteer at a school for blacks and Hispanics, member of both town and country private clubs. "Finally," she recalled, "I decided I needed a paid job so that my life would be more orderly."

O'Connor's parents: Harry and Ada Mae Day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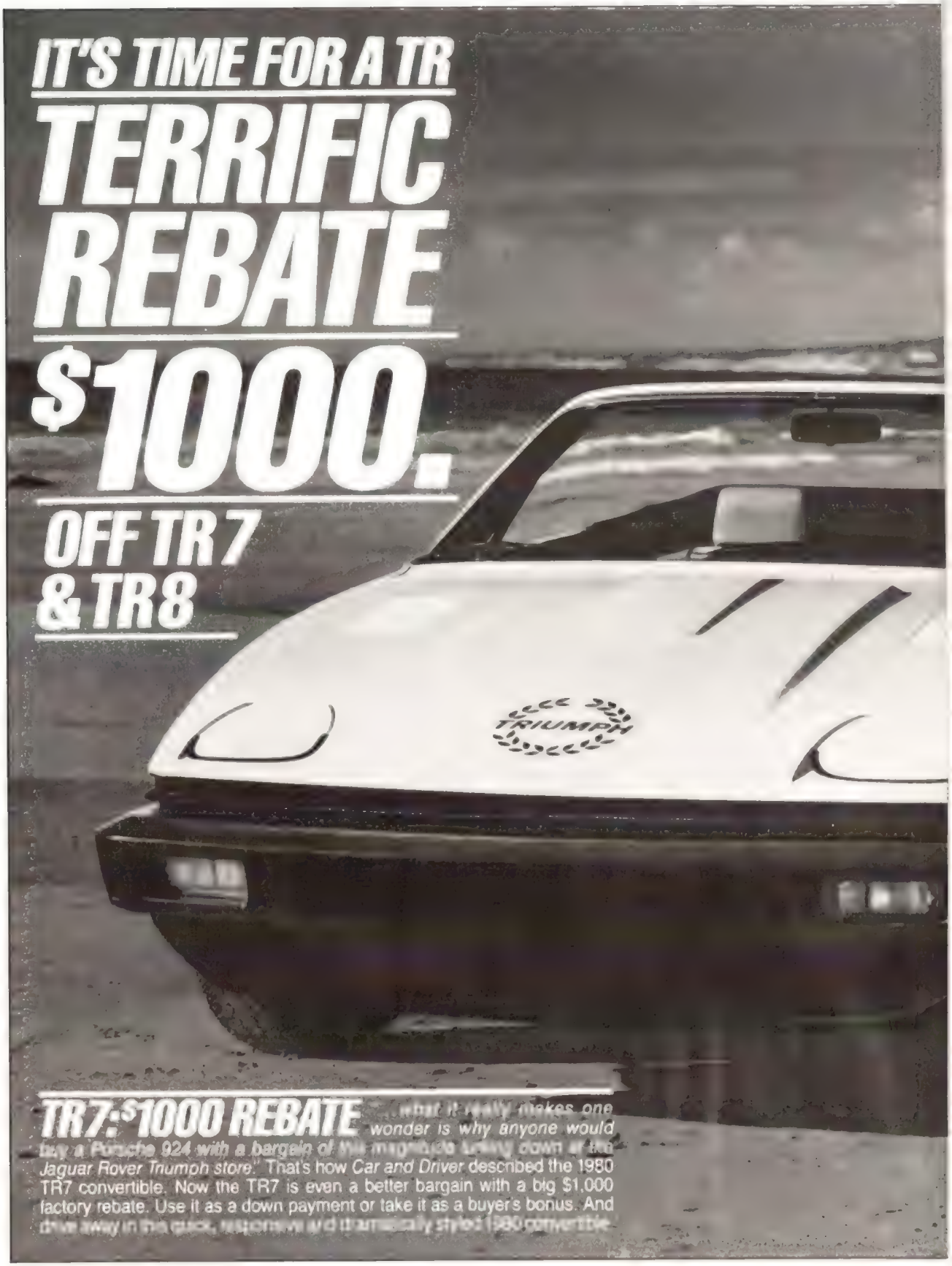
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That was in 1965. She spent four years as an assistant attorney general in Arizona. Appointed by the Maricopa County Board of Supervisors to fill a vacancy as a state senator in 1969, she ran successfully for the senate in 1970 and 1972. Her 17 admiring Republican colleagues (all but two were men) elected her majority leader in 1972.

O'Connor's devotion to detail soon became legendary. She once offered an amendment to a bill merely to insert a missing, but important, comma. As majority leader, she learned to use both tact and toughness to cajole colleagues into achieving consensus on divisive issues. When the usual flurry of eleventh-hour legislation delayed adjournment of the Arizona legislature in 1974, one committee chairman was furious at what he considered O'Connor's failure to finish up the senate's business. Said he to O'Connor: "If you were a man, I'd punch you in the mouth." Snapped the lady right back: "If you were a man, you could."

While critics focus on her ERA and abortion votes, O'Connor notes that her legislative achievements ranged from tax relief to flood-control funding to restoring the death penalty. "She worked interminable hours and read everything there was," says Democratic State Senator Alfredo Gutierrez. "It was impossible to win a debate with her. We'd go on the floor with a few facts and let rhetoric do the rest. Not Sandy. She would overwhelm you with her knowledge."

Although highly successful in the senate, O'Connor grew restless and decided to return to law. She ran and won a spot on the Maricopa County Superior Court bench in 1974. Explained her senate colleague Anne Lindeman: "At the end of her term she was at a crossroads. She had to choose between politics and the law. She was more comfortable with the law." Said O'Connor about the law: "It is marvelous because it is always changing."

As a trial judge, O'Connor was stern but fair. At least twice, colleagues recall, she advised defendants to get new attorneys because their lawyers had been unprepared. After a Scottsdale mother of two infants pleaded guilty to passing four bad checks totaling $3,500, she begged for mercy from O'Connor, claiming the children would become wards of the state. The father had abandoned the family. O'Connor calmly sentenced the middle-class woman to five to ten years in prison, saying, "You should have known better."

Foot Soldiers of the Law

The paramount mission and destiny of women are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator.

It was also the doctrine of the Supreme Court in 1873, when Justice Joseph Bradley wrote those words in a decision upholding the right of Illinois to deny a license to practice law to the first woman applicant, Myra Bradwell. Women, the court in effect ruled, could be barred from becoming lawyers.

Nothing dramatizes the changes that have taken place in the past 108 years more than the nomination of Sandra O'Connor to the bench where Bradley once sat. Today some 50,000 women are going beyond their "paramount mission and destiny" by pursuing careers as lawyers. They represent about 10% of the profession, and the proportion is growing: one out of three students now graduating from law school is a woman. Female attorneys are no longer considered "a bizarre thing," as Shirley Hufstedler, Secretary of Education under Jimmy Carter, recalls they were when she was one of two women graduating from Stanford University's law school in 1949 ("It was a bumper crop that year"). Nor do law firms now tell female applicants that "we just don't hire women; the secretaries might resent it," as one informed Orinda Evans, 38, now a federal district judge in Georgia, as recently as 1968. In addition, women no longer restrict themselves to the genteel specializations of real estate and probate law, as they did when former Watergate Prosecutor Jill Wine Banks finished Columbia Law School in 1968.

Eleanor Holmes Norton

Yet women are still "the foot soldiers of the profession," says Eleanor Holmes Norton, former chairman of the Equal Employment Opportunity Commission. "You don't find many in the upper reaches of bench or bar." Recent studies have shown that women account for only 2% of the partners in the 50 largest U.S. law firms, 5% of the nation's full professors of law, and about 5% of all judges. Nor has a woman ever served as president of a state bar association or on the powerful 23-member board of governors of the American Bar Association, though one is expected to be elected next month.

Carla Hills

The main difficulty, most female attorneys agree, is that the boom in women law graduates has essentially come about since 1970, when women accounted for only 2.8% of the profession. Thus there has not been enough time to yield a sufficient pool of experienced practitioners. "You can't appoint women judges if you don't have a large number of women lawyers who are trained," says Carla Hills, Secretary of Housing and Urban Development under President Ford. Until 1977, only ten women had been named to the federal bench. During the Carter Administration, partly because of the establishment of 152 new judgeships, 41 women were named. "That," says Brooksley Landau, chairman of the A.B.A. federal judiciary committee, "was a real revolution."

A key step in women's progress toward top legal posts is attaining partnership in the large, traditional law firms that dominate lucrative corporate practice and carry considerable prestige within the profession. Susan Getzendanner, 42, a former partner in the Chicago firm of Mayer, Brown & Platt, who last December became the first woman U.S. district court judge in Illinois, notes that some major law firms are currently hiring 40% to 50% women. But, she cautions, "their clients haven't changed. The business world is still male-dominated. It will be very interesting to see when women in law firms become the client controllers."

Women lawyers and judges greeted the O'Connor nomination last week with a mixture of enthusiasm and skepticism. "If she is superior, she will help the next generation of women," says Banks, "but she will be judged more harshly than men." As Hufstedler sees it, having a woman on the highest court has "significant symbolic importance." But she too is wary: "There can be such a thing as a token woman on the Supreme Court to avoid addressing women's issues." For most observers, the real test is whether Ronald Reagan is about to depart from his early appointments pattern by naming women to a number of other important posts. On that point, the jury is awaiting the evidence.

Shirley Hufstedler

But when she got back to her chambers she broke into tears.

Judge O'Connor did not hesitate to order the death penalty for Mark Koch, then 23, who had been found guilty of murder for agreeing to knife another man in return for a $3,300 fee. The contract killing stemmed from a dispute over drugs. (Koch has since appealed the verdict and been granted a new trial.)

When state Republican leaders urged her to run against Democratic Governor Bruce Babbitt in 1978, she declined. Instead, she was retained as a judge in Maricopa County and, after only eleven months, was nominated to the Arizona Court of Appeals by Babbitt, who denies trying to sidetrack a potentially dangerous opponent. Says Babbitt: "I had to find the finest talent available to create confidence in our new merit system. Her intellectual ability and her judgment are astonishing."

On the appeals court, O'Connor faced no landmark cases. But she did manage to cut the court's case load by persuading her former colleagues in the senate to modify laws involving workmen's compensation and unemployment insurance. Generally, she upheld trial judges, dismissing appeals from defendants who claimed they had been denied a speedy trial, refused transcripts, and other technicalities. In an article for the current issue of the *William and Mary Law Review*, she urged federal judges to give greater weight to the factual findings of state courts, contending that when a state judge moves up to the federal bench, "he or she does not become immediately better equipped intellectually to do the job."

But if O'Connor's own intellectual gifts are widely praised, the self-assured woman, who is of medium height and wears such sensible clothes as suits with silk blouses and matching ascots, is neither dull company nor dour. "She never forgets she's a lady—and she'll never let you forget," says Attorney McGowan. Yet Stanford Vice President Joel P. Smith recalls her as "the best dancer I've ever danced with" when he knew her as a member of the Stanford Board of Trustees. She does a nifty two-step and enjoys country music. A superb cook specializing in Mexican dishes, she, along with her husband, is a popular partygiver and -goer. While the prosperous Phoenix lawyer regales guests with Irish jokes told in a brogue, she jumps in to lift stories along, without ever stepping on the punch lines. She golfs weekly (her handicap is 18), plays an average game of tennis and, typically, works intensely at both.

It is that striving for perfection that most impresses acquaintances. When she and John helped complete their lavish home in suburban Paradise Valley, where houses cost $500,000 or more, one friend was amazed to find them both soaking adobe bricks in coat after coat of milk. "It's an old technique," O'Connor explained. "But I don't know why you use skim and not homogenized milk." Her father, who is 83, jokes about her diligence. "She's so damned conscientious," he says, "she wouldn't even give me a legal opinion. As a judge she can't, so she refers me to her husband." Still, her mother sees a humility in Sandra, despite her accomplishments, explaining, "She isn't the type who would try to high-hat anyone." A friend recalls an example. When O'Connor was president of Heard Indian Museum, which holds an annual and overcrowded handcraft sale, her son Scott wanted one item badly but had broken his leg in a skiing accident. Instead of using her clout to bypass a long line of buyers, his mother spent several hours sitting on a camp stool to await her turn.

Sandra and John O'Connor (center) with sons Jay, Brian and Scott

Could she possibly be a foe of "traditional family values?"

How will O'Connor's appointment, assuming she is confirmed, affect the decisions of the high court? The security of lifetime tenure can liberate Justices to see themselves in a new perspective, unencumbered by the pressures of climbing toward the top. They are there. Justices have often confounded the Presidents who appointed them with unpredictable decisions. After Oliver Wendell Holmes ruled against Teddy Roosevelt in a key antitrust case, the President, who had appointed Holmes, fumed: "I could carve out of a banana a judge with more backbone than that." Said Dwight Eisenhower about his selection of Earl Warren: "The worst damn fool mistake I ever made." Harry Blackmun stunned Richard Nixon by writing the court's majority opinion in *Roe* vs. *Wade* (1973), the decision that legalized abortion.

Based on what little they know about O'Connor, legal scholars expect her to fit in neatly with a court that is sharply split in philosophy, tends to analyze each case on strictly legal merits, and has pioneered only in selected areas of the law. A Justice Department official says approvingly of O'Connor: "She is not leaping out to overrule trial court judges or state lawyers or to craft novel theories. Her opinions are sensible and scholarly."

O'Connor shares with Rehnquist more than a Stanford background; both are Republicans from Arizona who have Barry Goldwater's favor. Nonetheless, legal scholars doubt that O'Connor will become a clone of the court's leading conservative. They do not expect a pair of "Arizona twins" to develop and to hang together any more consistently than have the now-splintered "Minnesota twins," Burger and Blackmun. Broadly speaking, the court now has two liberals, Brennan and Marshall, in a standoff facing two conservatives, Rehnquist and Burger. The decisions thus often depend on how the other so-called fluid five divide on a given case. And that rarely can be foreseen.

Blackmun, who has moved increasingly to the left, probably works harder than the other judges on his decisions, which often reflect his *ad hoc*, personal sense of right and wrong. The courtly Virginian, Lewis Powell, is regarded as the great balancer, in the middle on almost every case. John Paul Stevens, the most original thinker on the court, is an iconoclastic loner who likes to file separate opinions that challenge old assumptions even when his conclusions coincide with those of his brothers. Byron White, the best pure lawyer on the court, is unpredictably liberal and unpredictably conservative, but meticulously careful about facts and precedent. O'Connor is generally expected to fit into that shifting middle, as her predecessor Stewart did; thus her appointment, at least initially, is likely to be less decisive a factor than if she had replaced one of the men on either the left or the right.

At the very least, some court observers hope that her consensus-building experience as a legislator, with its premium on dealing with personalities, as well as the fact that she is a woman, will dissolve some of the aloofness among the brethren. There is little personal rapport and togetherness on the current court —and the Justices tend to communicate with one another only in writing. The result is often a series of individual opinions based on conflicting rationales that confuse the impact of a majority decision. Powell has called the court "nine one-man law firms." A touch of warmth and sociability could improve the court's effectiveness, no matter what direction it takes.

Some experts see the current court as a transitional tribunal poised between the social activism of the distinctly liberal Warren court and whatever might lie ahead. Despite four appointments made by Richard Nixon and one by Gerald Ford, the Burger bench has retreated surprisingly little from the pioneering decisions on school integration, procedural rights for criminal defendants, and the "one man, one vote" principle of legislative apportionment. Moreover, the Burger court has broken some new ground. It was unanimous in restricting Nixon's Watergate-era claims of Executive privilege. It has upheld affirmative action to correct past racial inequities in a moderate way. It has advanced women's rights against discrimination in employment to a notable degree.

Former Deputy Solicitor General Frank Easterbrook, professor of law at the University of Chicago, cites some less familiar areas where the Justices put their stamp. "They have completely overhauled antitrust law, by unanimous votes in many cases," he says. "They have turned securities law upside down. They have greatly clarified the law of private rights of action—who can sue whom. They have done wonders at rationalizing the law on double jeopardy." Easterbrook, however, is less happy with court rulings on Fourth Amendment questions dealing with search and seizure. "They're all over the lot. They haven't the foggiest notion of what they're doing."

In presenting Sandra O'Connor to the press, Reagan described his right to nominate Supreme Court Justices as the presidency's "most awesome appointment" power. True enough, and chances are that he will have the opportunity to exercise that power again. Whether or not Reagan is able to shape "his" court is as problematical as it was for most of his predecessors. What is important is that he had the imagination and good sense to break down a useless discriminatory barrier by naming a woman to the nation's Supreme Court—at last. America waits to see what place in legal history will be carved out by this daunting daughter of Arizona pioneers. *—By Ed Magnuson. Reported by Joseph J. Kane/Phoenix and Evan Thomas/Washington*

The Presidency/Hugh Sidey

Citadel on a Hill

When the antiabortion shouting is finally muffled, as it will be, the nomination of Sandra O'Connor to the Supreme Court will emerge as the balanced and responsible presidential action it was intended to be. Dozens of Ronald Reagan's aides, acting more like clinical psychologists than bureaucrats, probed her shadings of emotion, her intellect, her theology. O'Connor's background and that of her family were searched by computer. She was, to a remarkable degree, judged by a man who sees more and more each day that he must be President to a nation and not to a single-interest group.

One might expect that Reagan's first nominee to the Supreme Court would have had a certain intimacy with the White House or some special link to the Oval Office. But that is not the case. O'Connor is as independent and self-contained as any court nominee of the past two decades. She may reflect the White House philosophy, but she is not beholden to it, not bound to any mission or personal power adventure. Her nomination may be certification of a fact that has been dawning: the court is truly a citadel on the Hill—a part of Government but removed from it, as powerful as ever but beyond the reach of partisanship.

It was not so long ago that the man in the Oval Office considered the court either an adversary to be intimidated or a part of his private preserve, peopled with enough Justices from the political system to allow room for discreet wheeling and dealing behind the scenes.

L.B.J. gets Warren Report from its author

Lyndon Johnson leaps to mind. He was a product of the tumultuous Roosevelt years, when the court was more enemy than friend. The goal was to get enough of the old gang aboard to have the court with you instead of against you. A molder of men, Johnson knew how to get along with his court. Tom Clark and William Douglas were longtime New Deal buddies, and he kept the friendships going over lunch and on the phone. Hugo Black was out of the Senate tradition, and Earl Warren was a former Governor, the ultimate breed of political survivor. When L.B.J. wanted to clear the air about the Kennedy assassination, he never worried more than a second or two about the sanctity of the court. He went after Warren with his full guile and authority, rejecting Warren's first shocked refusals to head a special commission and simply wearing the man down with the old Johnson "treatment." Deciding that he wanted Justice Arthur J. Goldberg to be his U.N. Ambassador, Johnson reckoned that since he had pushed Goldberg's appointment (by Kennedy) to the court, he had a right to take him off. Using his powerful personality, L.B.J. persuaded Goldberg to take the lesser job. Johnson was still working the old game when he named his longtime crony and lawyer, Abe Fortas, to succeed Warren as Chief Justice. That one fell through because of Fortas' conflict-of-interest problems and Johnson's unhappy departure from the White House.

Richard Nixon harbored some of Johnson's political sentiments about the purposes and authority of the court. The Senate rejection of his nominees, Clement Haynsworth and G. Harrold Carswell, is now history. Nixon was in utter despair when he learned that his own appointee, Chief Justice Warren Burger, had ruled that Nixon had to surrender the White House tapes. That was a pivotal drama in the Watergate scandal. Things were changing.

Modern media had discovered the power of the court, the entertainment value of the obscure doings in the shadowy marble chambers at the far end of Pennsylvania Avenue. The Justices became good television; the collection of gossip in the book *The Brethren* was worth big money on the publishing market. In singular fashion, the court was raised still higher on its public pedestal.

In an extraordinary way, this deeper awareness and understanding of the court have been focused in Reagan's time to produce the nomination of O'Connor. She seems to be a person in harmony with the White House. But she also gains credence as a potential Justice by her distance from the White House that proposed her.

Heading Toward a Quiet Summit

Reagan is promised no confrontation in Ottawa

So far Ronald Reagan has met foreign heads of government one by one, either as host when they visited Washington or on brief trips to Mexico and Canada. Next week he will get his first taste of summitry as leaders of the seven mightiest non-Communist industrial powers meet in Canada for the latest in a series of annual conferences devoted to economic affairs. It promises to be a quiet and, at least on the surface, harmonious session, in keeping with its rustic setting. Le Château Montebello, 40 miles east of Ottawa, is the world's largest building made of logs. (One member of the U.S. advance team ungenerously called it "a dump.")

Canadian Prime Minister Pierre Trudeau, who will be host for the meeting, dropped in at the White House last week after a tour of European capitals to discuss the summit agenda with Reagan. The two politely agreed to disagree about some contentious questions, notably aid to the poor nations of the Third World (Reagan favors increased loans and investments by private business; Trudeau and other summit participants want more government-to-government help). Trudeau's main message: there will be no "confrontation" at the summit. Translation by one of his aides: "No gang-up on the Americans."

Le Château Montebello, world's largest log building and site of next week's economic parley

No lack of subjects for heated debate, but a tacit agreement to disagree most politely.

Still, there will be no lack of subjects fit for heated debate. The Europeans charge that a soaring American dollar is worsening inflation and unemployment in their countries. At the same time, the U.S. wants the other nations to be far more cautious in trading with the Soviet Union. But diplomats have pretty well decided to aim not for detailed agreements on specific questions but for general expressions of a desire to cooperate.

One reason for amiability is that elections and other political changes have broken up the old gang that argued so vociferously at previous economic summits. Trudeau, West German Chancellor Helmut Schmidt and Prime Minister Margaret Thatcher of Britain are the only veterans of these gatherings. President François Mitterrand of France and Prime Ministers Zenko Suzuki of Japan and Giovanni Spadolini of Italy are as new to summitry as Reagan. Suzuki is something of an odd man out; unlike the others, he speaks not a word of English. Spadolini was confirmed as head of Italy's 41st postwar government only last week.

Thus the leaders will have to devote much time simply to getting acquainted. Mitterrand is particularly eager to arrange a private tête-à-tête with Reagan, essentially to feel out whether a French Socialist can find some common ground with an American conservative. The leaders will have seven or eight hours to themselves during the two-day meeting, not counting formal sessions with their aides.

Further, the parties to the summit have had some awkward problems getting their own acts together. The Europeans are united in protesting that the rising value of the dollar against their own currencies is kiting their oil-import bills, which have to be paid in dollars. Furthermore, high U.S. interest rates, which are pulling in capital from around the world, have forced European nations to keep their own interest rates high, thus deepening a Western European recession (*see* ECONOMY & BUSINESS). But at their own pre-summit in Luxembourg two weeks ago, the Europeans could not agree on any common strategy to fight inflation and recession. They are divided between the tight-money policies followed by Thatcher and Schmidt and the stimulative spending approach that Mitterrand is bringing to France.

Reagan plans to explain that high American interest rates are a transient phenomenon; if his budget and tax cuts succeed in reducing inflation and unemployment, interest rates will fall too. Europeans will urge the U.S. at least to resume intervention in the currency markets, selling dollars to keep their price in pounds, francs and marks from zooming still higher. But they have little hope of getting any commitment. They will be satisfied if they can impress on Reagan the necessity for the U.S. to consider the effects of its moves on foreign economies.

On the U.S. side, Reagan's advisers are split on how far to go in urging the other countries to restrict trade with the Soviet bloc. The State Department would recommend only more restrictions on exports of strategic goods; the Pentagon wants a tougher approach, contending, for example, that West Germany should halt its plans to build a pipeline to import Soviet natural gas. U.S. summit planners have little hope of resolving that division by next week, so Reagan probably will confine himself to generalities.

Assuming that the Polish Communist Party congress this week does not provoke Soviet intervention, the Ottawa conferees will talk at length about how far to go in shoring up the battered Polish economy, and how to coordinate their efforts. Reagan and his aides will also try hard to persuade the European leaders, who confront a rising tide of neutralist sentiment in their countries, that the U.S. does not intend to pursue a blindly rigid anti-Soviet foreign policy, but is receptive to eventual arms-control negotiations with the U.S.S.R. "The Europeans are worried that we are cutting off the lines of communication with Moscow," says a senior State Department official. "We must do a better job in articulating our attitude."

One specific decision will probably be an agreement to keep the economic summits going. Next week's meeting will be the seventh in a series that started in France in 1975; by now each country has played host to one summit, so the first cycle of meetings is complete. All participants have argued in the past that the meetings were valuable, at least in educating heads of government about the interdependence of the major industrial economies. The leaders probably will resolve to start a new cycle of summits next summer. By then Reagan will be an old summit hand. —*By George J. Church. Reported by Laurence I. Barrett and Gregory H. Wierzynski/Washington, with European bureaus*

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A Wealth of Tax Objections

The President defends his plan

It was an enthusiastic partisan crowd of 2,000 that gathered last week at a fund-raising banquet in Chicago for Republican Governor James R. Thompson, and the guest speaker took full advantage of the forum to lash out at Democratic critics of his tax-cut bill. "Our proposal is not a 'rich man's windfall,' as some have falsely charged," said President Ronald Reagan to applause. "It is fair, it is equitable, and it is compassionate."

The President's attack was designed to blunt mounting criticism from House Democrats that the Administration's tax proposals favor the wealthy. Reagan wants to reduce taxes 25% over three years for all income groups, which would return the most tax dollars to those who pay the most taxes. House Democratic leaders, who are pushing for a 15% tax cut over two years, would give only minimal reductions to individuals earning more than $50,000. "The President may be a real tightwad when it comes to programs that help working families," proclaimed House Speaker Thomas P. O'Neill to cheering union members in Boston. "But when it comes to giving tax breaks to the wealthy of this country, the President has a heart of gold."

The Democrats were encouraged by a Louis Harris poll published last week showing that the percentage of those who believed in the overall fairness of Reaganomics slipped from 56% in February to 33%. A poll taken last month by Democratic Pollster Peter Hart found that the public agrees, two to one, with the statement that Reagan's programs favor "the wealthy and big business over the average workingman." Claims Hart: "It's a beachhead that has been established."

From that beachhead, the Democrats are launching a wide-ranging counterattack to win both public and congressional support for their own tax plan. They are wooing two dozen moderate Northeastern Republicans considered "soft" in their support for the Administration's tax package, as well as 47 conservative Southern Democrats known as the "Boll Weevils," many of whom voted for Reagan's budget last month. A campaign-style "boiler room" has been set up so that members of Congress and their staffs can telephone constituents in 20 key Southern districts and urge them to persuade their lawmakers to vote the Democratic way. Says Democratic National Party Chairman Charles Manatt: "We're going after all those Boll Weevils just the same way Reagan did."

On the Hill both Democrats and Republicans are adding sweeteners to their bills to lure votes. "It's rather an unusual way of marking up tax bills," says Democratic Representative James Jones of Oklahoma. "But these are unusual times." Besides offering more tax deductions to small businesses, the Democrats are trying to improve on the Administration's $2,500 tax credit for independent oil producers and royalty owners; this could influence as many as 30 Southern Congressmen. Says Democrat William Brodhead of Michigan: "It's like the arms race between the U.S. and the Soviet Union. For every move, there's a countermove; for every weapon, a counterweapon."

Returning from a horseback ride in Virginia

"It is equitable, and it is compassionate."

Beyond cloakroom maneuvering, the tax fight may hinge on public relations. Despite his personal popularity, Reagan's style of living may help foster the impression he favors the wealthy. A millionaire himself, Reagan has brought a moneyed way of life back to the White House. Even his pastime, horseback riding, carries with it in many parts of the country an impression of wealth and class. Regardless of the outcome on the tax bill, the Democrats may still succeed in tagging Reagan as a President for the rich —and damage his standing in future polls. "It is clear that the Democrats are trying to turn this into a class issue," says one White House aide. "The only thing that surprises me is that it took them so long." Adds a senior adviser: "We are worried that the President does not appear to be compassionate. But some of that image comes just from the nature of his budget cuts."

The White House lately has become somewhat sensitive about seeming too regal. When the First Lady left for California last month, aides decided that going to the airport by helicopter was ostentatious and instead ordered a modest motorcade. Aides are also keeping their distance from the *Sequoia*, the one-time presidential yacht sold by Jimmy Carter and now owned by a group of businessmen who are offering the Reagan team boat privileges. "People here have been turning down *Sequoia* invitations right and left," lamented one aide, who has received two calls to go cruising. "We don't even want to be seen on it." ■

Pen Pal from Plains

The writer began with folksy chitchat, assuring his readers that both his mother and brother Billy are doing just fine, thank you. But soon he turned serious—and critical—about the man who took his job away. In a three-page letter sent to former aides and Cabinet members, Jimmy Carter broke his 5½-month silence on his successor, although he never mentioned Ronald Reagan by name. Attacking the Administration's budget cuts as "ill-advised," he warned that "an enormous transfer of Government benefits is now taking place from the very poor to the very rich." Predicted the former President: "Students, farmers, the aged, mentally afflicted and marginally employed Americans will soon begin to suffer personally and in large numbers."

Carter denounced "the misguided and radical new policies of the Department of Interior" as a "serious threat to the future of our nation." Finding it "almost unbelievable" that the credibility of tortured Argentine Publisher Jacobo Timerman could be questioned by a member of the Administration, Carter recalled "the good old days when the American Government attacked the torturers and sympathized with the tortured." Finally, he contended that the U.S. was giving the Soviet Union an "unwarranted propaganda advantage" by shunning arms-control talks, and argued that Reagan's approval of large weapons sales was restoring "our former reputation as arms merchant of the world."

Secretary Schweiker and Senator Moynihan trading accusations at subcommittee hearing

Sparring over Social Security

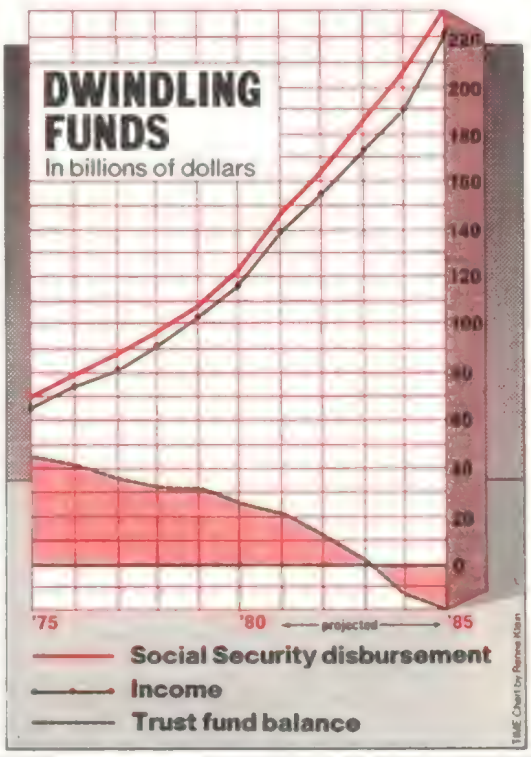
How long will it take the wolf to get to the door?

"Political terrorism!" shouted New York Democrat Daniel Patrick Moynihan. "You are coming in here crying crisis! crisis! bankrupt! bankrupt!"—a devious maneuver, he charged, designed solely to help the Republican Administration balance the federal budget. Secretary of Health and Human Services Richard Schweiker icily replied: "That is completely false, absolutely false."

The explosion occurred at an occasion that in other years would have been soporific: a Senate Finance Subcommittee hearing to consider the Administration's annual report on the Social Security trust funds. The exchange underlined the extent to which the financial woes of Social Security are becoming a nightmare for elected politicians: a pressing problem whose every solution offends some group of highly vocal constituents.

The trouble by now is well known: Social Security benefits, pushed up by inflation, are rising much faster than Social Security tax collections, which have been held down by persistent unemployment. But the latest report added two frightening brush strokes to this dismal picture. First, it predicted that as early as a year from now, the main trust fund out of which retirement benefits are paid might be so depleted that the Government could no longer send out pension checks on the third of each month; the checks might have to wait until more tax money could be collected. That assumes the worst of five possible combinations of inflation and unemployment rates that the Administration studied, but the other estimates are only marginally more cheering, if at all. Under a middling set of projections, the retirement trust fund would be out of cash entirely by fiscal 1984 *(see chart)*.

Borrowing from the separate Medicare trust fund might postpone that dread day—but, said the Administration, the Medicare fund is in trouble too. Though Social Security tax collections earmarked for Medicare are running ahead of disbursements right now, hospital bills are rising so much faster than prices in general that this situation will not last. In fact, the Medicare fund itself might be empty as early as 1989.



Senate Democrats complained that the Administration was emphasizing "worst case" figures that are much more gloomy than the inflation-unemployment estimates it used to draw up its overall budget. New Jersey Senator Bill Bradley accused Schweiker of keeping "two sets of books." Moynihan charged that the Administration wanted to stampede Congress into legislating benefit cuts that would produce a surplus in the trust funds large enough to offset deficits in other Government operations. Although excess retirement funds cannot be spent for any other purpose, they are mixed with general revenues in the budget and could make it appear balanced. Schweiker replied that "not a penny" of the trust funds "would be used to balance any budget." While hoping for the best, the Secretary insisted, the Administration must face up to an obligation to keep Social Security solvent, even if worse comes to worst.

Political posturing aside, the debate concerns only how long it will take the wolf to get to the door. Fundamentally, there are only two ways to turn it away: raise Social Security taxes further, or reduce the future growth of benefits. The first course has virtually no advocates. Congress in 1977 enacted the biggest peacetime tax boost in U.S. history in order to keep Social Security healthy—and already it has proved inadequate.

But the elderly understandably protest any proposal to cut benefits. The Senate in May passed by a resounding 96 to 0 a resolution deploring an Administration plan to reduce benefits sharply for people who retire at age 62, and slightly for those retiring at 65. Meanwhile, Congress is anything but enthusiastic about coming up with recommendations to solve the problem. Texas Democrat J.J. Pickle, chairman of a House Social Security Subcommittee, is drafting a plan to raise gradually to 68 the age at which retirees could collect full benefits. But nobody seems to have much idea what to do about Medicare, and as Moynihan's outburst indicates, many Congressmen and Senators would, à la Scarlett O'Hara, prefer to worry about the whole subject tomorrow. Too much stalling, though, and the solvency of Social Security just might be gone with the wind. *—By George J. Church. Reported by Jeanne Saddler/Washington*

Sick and Inglorious Transit

In most big cities, fares and frustrations are rising

Irate New Yorkers are pushing past the token booths and ducking under the turnstiles. In Philadelphia, commuter trains are plastered with white cardboard notices announcing the end of service on Aug. 30. In Chicago, suburbanites are so infuriated by fare increases that they are threatening to desert their leafy outposts. "I'm going to move into the city," vows Bob Madden, 24, a printing company salesman who lives 24 miles from downtown in Deerfield, Ill. "I could probably afford to commute, but I've got better things to do with my money."

In a clutch of the nation's largest cities, mass-transit systems—already rumbling toward hell—have never seemed closer to that infernal destination. Plagued by crumbling equipment, dismal service and deepening deficits, several cities boosted fares this month just to keep their systems sputtering along. As a further sign that there may be no light at the end of the mass-transit tunnel, the Administration promises to phase out by 1985 federal operating subsidies for bus and rail systems, now running at $1.1 billion a year and making up 13% of total costs.

No system seems closer to stopping dead in its tracks than New York City's, the largest in the nation with 5 million daily passengers. With an operating deficit of $500 million for this fiscal year, the state's Metropolitan Transportation Authority (MTA) two weeks ago upped subway and bus fares from 60¢ to 75¢ and raised the prices of commuter tickets on Conrail and the Long Island Railroad by an average of 25%. The MTA also threatened to hike fares to $1 by mid-July unless the state legislature covered an estimated shortfall of $331 million. The legislature finally approved a Band-Aid package of new taxes last week, including a .75% tax on the gross receipts of oil companies, that will raise $800 million over the next two years. But MTA Chairman Richard Ravitch is making no promises that fares will not go up again before 1983. "I can't guarantee anything," he shrugs.

At the same time, the New York Transit Authority is proposing to cut back its maintenance program and curtail service. The city's subways are already a Stygian underworld, with filthy, overcrowded trains careening at high speeds one moment, then stalling for eternities with lights out and passengers steaming. "When I first rode the subways, I thought I was on a prison train," says Sashi Ray, who emigrated from India in 1976. "Now, when I compare the streets of Calcutta to the subways, I must confess the subways are by far the worse."

In Philadelphia, the Southeastern Pennsylvania Transportation Authority (SEPTA) raised fares on the city's bus, trolley and subway lines from 65¢ to 70¢ last week—the third hike since 1978, when a ride cost 45¢. If that were not bad enough, Conrail is threatening to shut down its commuter lines around Philadelphia, which carry 65,000 people on weekdays, unless SEPTA increases its annual subsidy from $93 million to $99 million. SEPTA Chairman David Girard-diCarlo insists that his agency is broke and may seek a court order to keep Conrail behind the throttle. If he fails, SEPTA may have to run the trains. Complains Girard-diCarlo: "We can't rush into operating a $100 million operation overnight."

In Boston, the Massachusetts Bay Transportation Authority (MBTA) is considering upping bus fares from 25¢ to 50¢ and subway tokens from 50¢ to 75¢ on Aug. 1. Since most riders take both bus and subway on their way to work, the average round trip will cost $2.50. Admits Phil Shapiro, staff director of the MBTA's advisory board: "These hikes may end up not being competitive with the automobile." The MBTA appears to have no choice: the agency will exhaust its annual budget of $337 million by Thanksgiving.

In Chicago, fares on the city's buses and subways rose by a dime to 90¢ last week, a 50% boost over last December and now the highest in the nation. Transfers cost an extra 10¢, and most riders end up paying $2 for a round trip. The region's 140,000 suburban commuters must dig even more deeply into their wallets: the Regional Transportation Authority (RTA) raised its fares last week by an average 57%. Chicago Attorney Laurie Shatsoff last December bought a condominium in Vernon Hills, about 40 miles outside the city, and since then she has watched the cost of her monthly train pass rocket from $59 to $141.95. "It's now like my mortgage," she protests. "I'm just glad my secretary lives in the city. Otherwise, I couldn't afford to pay her."

The Chicago fare hikes are in part the result of sniping between the state legislature and Chicago Mayor Jane Byrne; when Springfield offered the Chicago Transit Authority $425 million over the next three years, Byrne huffed that an additional $45 million was needed, and the entire aid package collapsed. The city's fare hike even poses its own mechanical problem: the dollar bills deposited by bus riders jam the fare boxes. To combat the problem, CTA officials instructed its ticket takers to hand out Susan B. Anthony dollars as change, but passengers are refusing to accept the unpopular coin. "I don't give them out, people complain too much," says one cashier.

In Atlanta, fares rose from 50¢ to 60¢ on July 1, and may jump again if the Metropolitan Atlanta Rapid Transit Authority (MARTA) has to pay its bus drivers an additional cost of living allowance. In Houston, maintenance men ripped out the sealed windows of a covey of new $86,000 buses last year when the air conditioning broke down, and riders this summer are cooled by the occasional breeze—and drenched by the occasional rainstorm.

Once among the finest in the industrialized world, the nation's urban mass-transit systems obviously are no longer bound for glory. Riders, already deserting subways and buses in many cities, may start leaving in droves. Says Costas Servas, a frustrated passenger on New York's Seventh Avenue line: "The people have had enough." *—By James Kelly. Reported by Jay Branegan/Chicago and Dean Brelis/New York, with other U.S. bureaus*

A Chicago commuter reads the bad news last week while waiting for a train

Rumbling toward an infernal destination with no relief in sight.

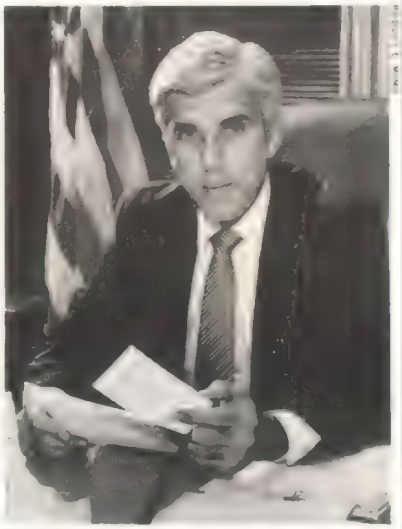
Reinforcements in the Drug War

Getting ready to use the Navy, FBI, IRS—and paraquat

Each new war against illegal drugs has seemed, when the fanfare died down, as futile as shoveling sand from a beach. The enemy is far too big (the $80 billion drug industry is three times the size of IBM), law enforcement is far too limited (the country has 50% more fugitives who have jumped bail on drug charges than it has narcotics agents), and the efforts of various agencies have been uncoordinated. In an attempt to bring some coherence to the crusade, the Reagan Administration has decided to regroup its drug-fighting troops and call in reinforcements.

Although nobody would argue with the Administration's goals, the methods being considered will be controversial. Proposals include changes in federal laws that would eliminate bail in some cases, allow the participation of the military in fighting crime, loosen restrictions on the use of income tax and bank records, and fold the Drug Enforcement Administration into the FBI. Furthermore, TIME has learned, plans are being made to resume the spraying of paraquat, a lethal herbicide, on marijuana fields—not only abroad, but in the U.S. as well.

In the past, the drug war has been conducted almost exclusively by the DEA. Pursuing a "buy-bust" strategy against individual dealers, agents have proved adept at going under cover and making arrests. But the DEA has not had enough accountants and skilled investigators to unravel the major international drug rings. Today there are four times more heroin addicts in the U.S. than there were when the agency was created in 1973, and



DEA Chief "Bud" Mullen mapping campaign

this is directly contributing to the surge in violent crime. Indeed, the alarming trend may accelerate: a new jolt of heroin from the poppy fields of "the Golden Crescent"—Iran, Iraq and Pakistan—is starting to flood the East Coast.

The Reagan Administration plans to shift enforcement efforts from the smaller dealers to the major traffickers. Spearheading the drive is Francis ("Bud") Mullen, former FBI executive assistant director, who this month was put in charge of the DEA. He hopes to use the Racketeer Influenced and Corrupt Organizations statute, the FBI's favorite tool against organized crime, to confiscate drug-trade profits. One way of locating these gains is through stricter enforcement of the 1970 Bank Secrecy Act, which requires banks to disclose deposits that exceed $10,000. Says Mullen: "If we can marry the DEA's street savvy with the FBI's talents and its 1,100 accountants—and bring in the Internal Revenue Service as well—then we can do the job."

The IRS has not been involved in the drug war since 1974, when Congress restricted the agency's role in law enforcement after learning that President Nixon had used it to harass his political enemies. The Reagan Administration is now trying to loosen the Taxpayer Privacy Act, which some officials bitterly call "the Organized Crime Relief Act," to give law enforcement agents greater access to taxpayer records. The IRS is also assigning more investigators to ferret out tax evasion among major drug traffickers.

As long as their cash flow remains relatively unimpeded—the DEA seized only $3 million last year—big-time drug dealers will not worry much about being arrested. They can easily post million-dollar bails and walk away never to be seen again (TIME, July 6). The forfeited bail is considered a normal business expense. This is the reason the Administration is seeking legislation that would allow judges to deny bail to defendants who seem likely to jump and run.

To enlist the armed forces in the war on drugs, the Administration proposes modifying the 100-year-old *posse comitatus* (literally "power of the county") statutes that bar military involvement in civilian law enforcement. The Senate and House are expected to agree on a bill that will create a new and potent drug-fighting arsenal, including the use of military spy

The Cheap New Killer

Drug dealers always seem a step ahead. Whenever a supply is cut off, a new source of dangerous kicks appears. Thus, in parts of the U.S. where heroin has become difficult to get or too expensive, a cheap—and dangerous—substitute has taken its place. Known as Ts and Blues, it is a mixture of Talwin, a morphine-like painkiller sold only by prescription, and Pyribenzamine, a blue antihistamine tablet available over the counter. They are stolen and sold to junkies for about $10 a pair, one-quarter the price of a hit of heroin. Mixed, dissolved and injected, they give a heroin-like rush—and quickly produce a heroin-like dependency. Says a drug addict in New Orleans, the nation's Ts and Blues capital: "Heroin is the past tense. This is the present."

In the U.S. last year, hospitals reported 3,669 cases related to Ts and Blues, compared with 12,785 for heroin. But in some cities—particularly New Orleans, Chicago, Detroit, Buffalo, Albany and St. Louis—the new "rig" is more prevalent than heroin. Says Lieut. Lawrence Forberg of the Chicago narcotics squad: "I predict it will possibly equal heroin usage." Since first appearing in Chicago during the mid-'70s, Ts and Blues have spread with frightening speed. John Mudri, a Drug Enforcement Administration agent in Detroit, began noticing the combination a little over a year ago in early 1980. Says he: "It rose so rapidly that we got to the point where we couldn't keep up with it." In New Orleans last year, there were 536 arrests related to the drug; 20 deaths, mainly from seizures, strokes and brain damage; and 40 or so homicides that seem connected to the burgeoning trade. Says New Orleans Narcotics Division Detective David Peralta: "They kill for it just like they do for heroin."

Injection-ready "rig"

DEA officials hope the drug can be controlled by limiting the manufacture of Talwin. A pessimistic view comes from St. Louis Police Narcotics Chief Charles McCrary. Says he: "I'm afraid that when high-grade white heroin, which is beginning to reach the East Coast cities from Southwest Asia, starts coming in, the junkies will go back to that."

planes, satellite surveillance and sophisticated radar equipment. The House version would even give the Navy the right to board and seize drug-laden vessels outside U.S. territorial waters.

The State Department, meanwhile, would become more involved in trying to cut off drugs at their source: the opium, coca and marijuana fields around the world. In 1972 Turkey was persuaded to control its opium exports, and is no longer a prime provider of heroin. The U.S. has virtually no diplomatic leverage in Iran and Iraq, which have picked up where Turkey left off. But Peru, a major supplier of the coca used in cocaine, would be open to U.S. suasion. So would Colombia and other Latin American countries that became major marijuana producers after the U.S. subsidized Mexico to destroy its fields with paraquat in 1975.

The use of paraquat to eradicate marijuana crops remains a top priority of the DEA, even though the public is less concerned about pot than it is about hard drugs. The spraying in Mexico became a *cause célèbre* after traces of the toxic chemical were found in pot smuggled into the U.S. When smoked in heavy doses, the tainted weed caused vomiting, hemorrhaging and, in a few cases, irreversible lung damage. Republican Senator Charles Percy's 1978 amendment to the Foreign Assistance Authorization Act prohibited the U.S. from providing money or materials to foreign countries for paraquat spraying. House and Senate committees recently voted to repeal that restriction, although the Senate version requires that a "marker" be added to the herbicide so that potential smokers can recognize contaminated marijuana by sight or smell. No such traceable substance has yet been developed, but funds to promote spraying programs may be authorized anyway.

Colombia, like other drug-producing countries, is not about to kill off its lucrative marijuana crops until the U.S. sprays its own fields. The DEA is quietly planning a paraquat program that would involve Florida, Georgia, North Carolina and South Carolina. Conspicuous by their absence on this list are California, Oregon and Hawaii, the top marijuana producers. The DEA fears political fallout in the two Western states and rules out the islands because of logistical problems. If the DEA gets its way, the first state to be sprayed will be Florida. Although not a leading marijuana grower, Florida may be receptive because of its severe drug-smuggling problem. But there is bound to be public protest. No matter how carefully the DEA maps marijuana fields, paraquat is dangerous to other plant life because it drifts in the wind. The spraying itself may also present a public health hazard. The National Organization for the Reform of Marijuana Laws (NORML), the legalization lobby, promises to sue if the DEA tries to spray anywhere in the U.S. —*By Walter Isaacson. Reported by Jonathan Beaty and Evan Thomas/Washington*

MX'ed Feelings About Missiles

Wanted: a nice home for a 192,000-lb. nuke

Where to put the MX, a 96-ton, six-story-tall behemoth loaded with ten nuclear warheads? That political dilemma has most of official Washington ducking into fallout shelters. Congress last week voted to withhold any additional funding for MX deployment systems until the President decides how and where he wants to install the fearsome rockets. The President will not decide until Defense Secretary Caspar Weinberger decides. And Weinberger will not decide until he gets some recommendations from a 15-member expert panel chaired by Charles Townes, a Nobel-prizewinning physicist. When will that be? "Nobody knows," says Pentagon Spokesman Henry Catto. "These are enormously weighty things."

Prototypes at Nevada test site: an MX cannister loaded on its transporter

Trying to choose between one controversial scheme—and "no good alternatives."

The most publicized plan for deploying the missiles is now nearly synonymous with MX itself and with the controversy surrounding it. Under this $40 billion scheme, the missiles would be wheeled around 200 high-security drag strips scattered over 10,000 miles in the desert wastes of the West. This brobdingnagian shell game is intended to foil any Soviet strike by baffling the enemy: unaware of each missile's actual location, the Soviets would be obliged to target all 4,600 MX shelters to guarantee success. But the drag strip system has been assailed by critics (including Presidential Candidate Reagan) as technologically dubious and ridiculously expensive. Two months ago the powerful, conservative Mormon church joined the naysayers, beseeching the White House not to station the MX in Utah and Nevada. Then a brace of hawkish Republicans, Senators Paul Laxalt of Nevada and Jake Garn of Utah, marched into the Pentagon with their own panicky manifesto denouncing the Air Force's plan to put MX in their states. Next Congress's Office of Technology Assessment chimed in with a careful report that found serious fault with each of the proposed deployment plans. There has been comparatively little debate on the need for the missile, the most powerful single weapon ever designed by the Pentagon. But all this flak has dimmed prospects for the desert drag strips and given the Administration a severe political migraine. If Reagan does not settle on a deployment plan by next month, he may jeopardize MX funding for the fall and beyond.

Though his choices may consist, as Garn says, of "no good alternatives," the options previously mulled and culled sound even worse. A plan called "Seasitter" envisioned pinioning minimissiles on a fleet of roving seaplanes. Other proposals would have made giant molehills out of mountains: one called for sticking the missiles inside mountains for protection, and another would have placed each missile at a peak's southern foot, thus providing a natural barrier wall, since the Pentagon expects the Soviet ICBMs to come gliding in over the North Pole. The Continuous Air Alert Carrier sounds space age; in fact it entailed floating a flock of coastal blimps, each holding a small MX snug to its underbelly. Other brainstormers—all patriots, most half-serious—variously suggested trucking the big missiles along the nation's highways (tolls could be a problem), loading them onto freight trains or secreting them on river barges.

All these schemes attempt to outwit Soviet missiles with what the Pentagon calls PLU: preservation of location uncertainty. So far it is only the MX project itself, scheduled for completion at the end of the decade, that is maintaining a high degree of PLU. ■

Pesticide spraying around a house in Sunnyvale, Calif.; inset: the culprit up close

Those Flies in Brown's Ointment

Facing a quarantine, California orders aerial spraying

God in His wisdom
Made the fly
And then forgot
To tell us why.
—Ogden Nash

Perhaps one reason was to test Jerry Brown. Last week, as swarms of voracious Mediterranean fruit flies in northern California threatened to bring a nationwide ban on shipments of fruits and vegetables from California's lush orchards and farm lands, the Democratic Governor faced one of the toughest decisions of his political career: whether to bow to California's $14 billion-a-year agriculture industry, which grows 40% of U.S. produce, or heed the angry voices of environmentalists, who have looked upon him as one of their chief political allies.

California's farmers argue that there is only one way the state can end the Medfly explosion: by bombarding infested areas from the air with a pesticide, Malathion. President Reagan's Agriculture Secretary, John Block, agrees, and his department threatened to quarantine all California produce susceptible to infestation unless aerial spraying was immediately approved. But residents of fly-plagued Santa Clara County, which includes the high-income communities of Silicon Valley, south of San Francisco, have vehemently opposed that approach. Noting that Malathion is suspected by some scientists of causing cancer and birth defects, they raised protest placards at town meetings and wrote angry letters equating the spraying with the use of the defoliant Agent Orange in Southeast Asia. Said Mayor Alan Henderson of Palo Alto, one of the cities that refused to permit the spraying: "This is the strongest outpouring of feeling since the Viet Nam War."

It is also the biggest threat to California agriculture in years. A tiny pest the size of a grain of rice, the Medfly began showing up last summer in both the Los Angeles area and Santa Clara County. No one knows where it came from —perhaps in fruit carried by a tourist returning from Hawaii. But though the flies are not indigenous to the mainland, they lay their eggs in at least 200 U.S.-grown fruits and vegetables, including such California staples as plums, peaches, apricots and nectarines. Maggots hatch from the eggs and feast away until the fruit drops to the ground. Because the fruit fly's depredations make produce virtually unsalable, and usually inedible, California quickly mobilized—spraying trees from the ground, destroying fruit and even releasing sterilized male Medflies to reduce the number of offspring.

These tactics eradicated the menace in Los Angeles, but the Medflies kept spreading in the northern part of the state. A suit by California's attorney general to upset local bans on aerial spraying proclaimed that "a true state of emergency now exists."

But Brown, who is expected to run for the U.S. Senate next year, clearly did not relish the idea of offending his environmentalist constituency. At midweek he ignored the recommendation of his own Medfly advisory committee and refused to allow aerial spraying. Brown explained that he did not want Californians "waking up in the middle of the night to those helicopters spraying the garden, the street light, the roof, the child's bicycle, the swimming pool and everything else." Instead, he ordered a step-up in the ground war against the Medfly. But that war clearly was not working. Worse yet, his own agriculture officials made an embarrassed admission: among millions of sterile male flies released by the state, some were in fact fertile. At week's end, after Secretary Block's warning, Brown finally relented. Though he charged that the Reagan Administration's threat of a quarantine was politically inspired "sabotage" of his own efforts to eradicate the Medfly, he reluctantly agreed to allow spraying, starting this week. ■

Upping the Ante

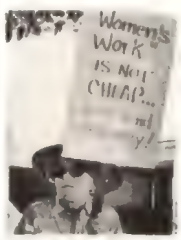
Over equal pay in San Jose

The week-old strike of municipal workers in San Jose, Calif. (pop. 650,000), is not hamstringing the city. The money involved is relatively meager, less than a baseball star or network-news anchorman can make in a year. But the dispute is an important one. At issue: equal pay for comparable work, especially for women in low-salary, female-dominated fields. Says Mayor Janet Gray Hayes: "This is the civil rights issue of the '80s." That it is being argued in San Jose is ironic: Hayes heads a mostly female city council and has for years touted her city as "the feminist capital of the world."

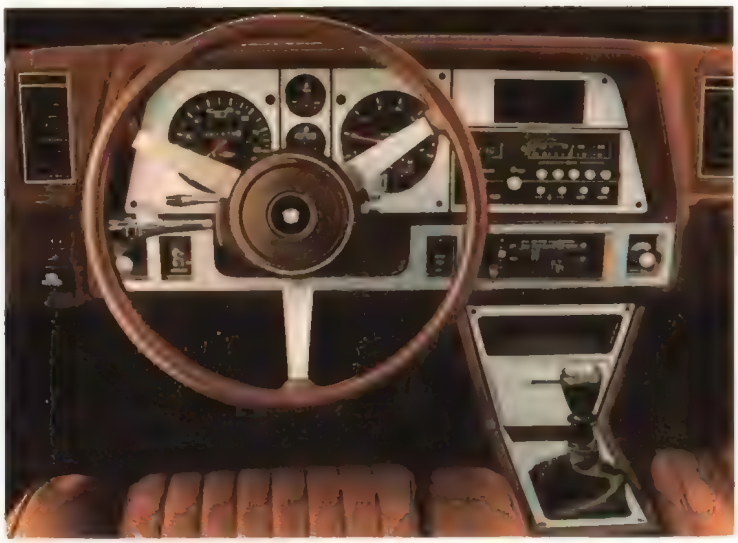
Both the city and the municipal workers' union agree that jobs traditionally held by women are low paying simply because women have tended to hold them. Two years ago, the city spent $39,000 for a study that made the necessary comparisons of apples and oranges. The mayor's secretary ($18,000), for instance, was found to be performing work qualitatively equal to that of a senior air-conditioning mechanic and earning 40% less than what the repairman makes ($31,000). Librarian Linda Dyde makes $7,700 less than her counterpart, a plant-shift supervisor. Typist-clerks ($14,300) and grounds keepers ($17,524) are also laboring equally, the study concluded. Says striking Typist-Clerk Jan Piper, 37: "I feel I shouldn't have to be a grounds keeper to make an adequate living."

The two sides only disagree over how soon pay scales can be equalized. The strikers demand a commitment of $3.2 million in raises over four years; the city has offered $1.45 million over two years. Mayor Hayes says the city treasury just cannot afford a quick fix. To Bill Callahan, the union's chief negotiator, this amounts to "reneging on a commitment to end sex discrimination."

Callahan says his union is "not planning to bring San Jose to a halt." Indeed, less than half of the unionized workers are striking, and only the city's libraries and recreation programs are shut down. Pickets, undaunted by blistering heat, shuffle outside city hall with pithy placards. One reads: IF I HEAR THE MAYOR SAY THIS IS THE FEMINIST CAPITAL OF THE WORLD AGAIN, I'LL PUKE. Their vigil is evidence that equal pay for comparable work is an issue whose time is about to come. Already a ripple effect is being felt 40 miles north. A San Francisco official last week called for a study to see if that city is paying its employees equitably. ■



Picketing city hall



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A NEW KIND OF CADILLAC FOR A NEW KIND OF CADILLAC OWNER

Set ablaze by rampaging mobs, shops and houses in Liverpool's Toxteth section light up the night sky

BRITAIN

Anger in the Streets

Across the country, rioting youths challenge society's stability

"I was in Liverpool during the war, and I'll never forget the bombing and destruction. I went through Lodge Lane on Monday morning, and, I suddenly thought, it seemed just the same. Buildings turned into rubble, shopkeepers sitting on their steps crying, wondering what to do. And then I realized, there was *a war on."*

—Bill Dawson, 50, a Liverpool cab driver

They were scenes the British thought could only happen somewhere else: Watts, Washington, Newark, the South Bronx, all the American ghettos that erupted in the 1960s. Yet, night after night, British policemen, carrying plastic shields and wooden truncheons, last week fought off angry rioters throwing bricks and chunks of concrete. Screaming youths flung Molotov cocktails into shops and supermarkets, turning whole city blocks into infernos. To the shock and anguished dismay of a country that had long been proud of its peaceful traditions—a tranquillity symbolized for the world by the unarmed British bobby calmly walking his beat—Britain's inner cities ignited in an extraordinary orgy of violence and destruction.

The rioting was Britain's worst in a century. Like summer wildfire out of control, the disturbances swept from the shabby neighborhoods of London to the blighted port city of Liverpool to the industrial cities of Manchester and Birmingham in the north. By week's end the urban warfare had spread to a dozen provincial cities, including Nottingham, Newcastle and Preston, and a dozen of London's bleakest neighborhoods. These were under assault by gangs of white, black and Asian youths burning cars, stoning police and smashing shopwindows. In the first seven days of the turmoil, more than 300 policemen were injured, millions of dollars' worth of property destroyed and more than 1,000 people arrested. Trying to restore order, Home Secretary and Deputy Prime Minister William Whitelaw went to the extreme of banning all demonstrations in Greater London for a month. (The decree will not affect gatherings for the royal wedding of Prince Charles and Lady Diana Spencer on July 29.)

As the battles raged on, a deep, nagging fear grew in the country that the outburst was no short-lived nightmare before a return to business as usual. Ralf Dahrendorf, director of the London School of Economics, went so far as to warn that the country might be witnessing a "breakdown of traditional British society, in which people were basically well-behaved toward each other." Prime Minister Margaret Thatcher spoke worriedly of the fragility of Britain's democracy under such assaults, saying: "The veneer of civilization is very thin. It has to be cherished if it is to continue."

But in the House of Commons, Thatcher was bitterly criticized by the Labor opposition, which charged that her policies were largely responsible for the rioting. The argument: by trying to beat down inflation, she had intolerably increased unemployment in urban areas and thereby aggravated tensions beyond the breaking point. So fervent was the emotional outburst against Thatcher that the Speaker of the House was at times unable to make himself heard. Labor M.P. Robert Brown castigated Thatcher as "the greatest vandal of the lot," while Eric Heffer, a prominent left-wing Laborite from Liverpool, shouted over and over "You stupid woman."

With the mobs still storming the streets, Britons began, perhaps much too late, to examine other underlying causes that had generated such resentment: long years of racial discrimination, pent-up hatred of the police and the frustrations of the impoverished, both white and black, who were trapped in the neglected corners of the nation's major cities. Said Shirley Williams, a former Labor Cabinet minister and now a leader of the new centrist Social Democratic Party: "I believe that the challenge that faces Britain is ev-

ery bit as difficult and serious as that faced by the U.S. in the 1960s."

The rioting began at a punk rock concert in the London district of Southall, commonly called "Little India" because of its large population of Indians and Pakistanis. Gangs of "skinheads"—white toughs given to heavy boots, shaved heads and neo-Nazi swastikas—invaded the neighborhood for the concert, shouting racial insults, abusing a shopkeeper's wife and breaking windows. Asian youths poured into the streets to fight back. The Hambrough Tavern, host to the concert, was left a burned-out ruin

The next night rioting broke out in the heavily black Toxteth section of Liverpool, when police looking for a stolen car were suddenly assaulted by a gang of teen-agers armed with stones and bottles. This time white and black youths fought side by side against the police. The situation was out of control for two nights. At the height of the savagery, rioters broke into the Unigate Dairy on Upper Parliament Street, commandeered milk trucks and rammed the thin blue line of policemen as kids driving bumper cars at a carnival would do. Bragged an 18-year-old: "The police were dropping like ninepins."

Finally at 2:15 a.m., the beleaguered bobbies cleared the streets by firing 25 canisters of tear gas at the mobs. It was a historic—and sad—moment that emphasized the enormity of the rioting to many Britons. Tear gas had never before been used in civil disturbances in England

But even as bulldozers and dump trucks began to raze the wreckage in Liverpool, rioting broke out again in various London neighborhoods, including predominantly West Indian Brixton, which had been the scene of severe disorders last April. And in the run-down Moss Side district of Manchester, rampaging youths, 1,000 strong at some points, laid siege to a police station. Shouting, "Kill! Kill! Kill!" they smashed windows and set fire to police vehicles and private cars in the station yard

Police in Liverpool helplessly pass by as a building burns out of control

As the battles raged, a deep, nagging fear grew that this was no short-lived nightmare

The initial reaction of Prime Minister Thatcher's government seemed to be one of huffy exasperation over a failure of parental authority. "What in the name of goodness are children of this age doing out in the streets at this time of the night?" fumed Home Secretary Whitelaw after a tour of Liverpool. But there were causes that went a great deal deeper than parental inadequacies, and many Britons blamed Margaret Thatcher's stern, monetarist inflation-fighting program for the main one: unemployment

Thatcher's policies are predicated on the belief that controlling the money supply and letting ailing businesses die will eventually lead to a healthier and more productive economy. One consequence of that theory has been a national unemployment rate that is currently 11.1% —the highest since the Great Depression —and is climbing rapidly toward 12%. But in cities like Liverpool, where factory after factory has been shuttered, unemployment is more than 16%. Among blacks, the figure rises to 40%, and among black youths fully 60% are out of work. Says Alex Bennett, a community relations worker in Toxteth: "Black men between the ages of 17 and 28 in Liverpool may never have worked a day in their lives. Is it any surprise that they are tremendously resentful?"

Thatcher's economic formula was even attacked by former Conservative Prime Minister Edward Heath, who charged that her "incomprehensible policies" were breeding crime and hate. But through it all the Prime Minister insisted that she would not be forced into making any economic changes, particularly to stimulate the economy to provide new jobs

Warned the London *Times*: "The government does not seem to have grasped that the future stability of our society may depend on how we meet this challenge." The respected *Guardian* was even more blunt: "Solvency can hardly be desirable if it relates to a pile of rubble. Unless the government concedes this fundamental truth, then all the rhetoric about unacceptable violence and better community relations will die in the wind."

In the debates in the House of Commons, most Tories lined up behind the government and demanded tougher law-and-order procedures. Whitelaw was drafting plans to give police broader powers of arrest. Another proposal was to fine parents of children under 17 who participate in a riot. For the time being, Whitelaw said, police would not be issued plastic and rubber bullets, which have killed some rioters and bystanders in Northern Ireland. He did, however, authorize the use of water cannons and tear gas when necessary

Southall: a punk rock concert that exploded

Liverpool: a search for a stolen car that forged an alliance against the police

Inevitably, the British riots provoked comparisons with the inner city disturbances in the U.S. during the 1960s and raised the same central question: Why? The famed Kerner Commission report (the work of a 13-person group headed by former Illinois Governor Otto Kerner), ordered by President Lyndon Johnson in 1967 to investigate the reasons for the American riots, was studied and discussed for clues, and portions of it were even reprinted in the press. The report's conclusion, which emphasized the corrosive effect of racism, had clear parallels to what had occurred in the cities of Britain. There was no denying that blacks had been more seriously hurt by the Tory government's economic policies than whites. "Because there is always one social group at the bottom of the stack," explained Sir Edmund Leach, former provost of King's College, Cambridge, "it's the blacks who suffer most."

The riots came as no surprise to Brooklyn-born Louis Kushnick, vice chairman of the Institute of Race Relations and a lecturer at Victoria University of Manchester. "There is a deep general racialism in this society that is a product of the colonial political culture that said blacks were inferior, so whites had a right to rule them," he says. In Toxteth, for example, half the blacks are second and third generation Englishmen. Of 30,000 municipal employees, only 200 are black. Says one black employment counselor, noting that the city does not even have an equal opportunity program: "My advice to my kids is, 'Get on at school, and then get out of Liverpool, because there is nothing here for you.' "

Significantly, much of the rioting in black areas was directed not at whites but at police and businesses that the rioters felt exploited their community. Observed Delroy Burris, a black youth worker in Toxteth: "They were definitely attacking particular targets." Two examples: the Racquet Club "because it was a private club for the rich" and the National Westminster Bank because of its "connections with South Africa."

Wally Brown, black chairman of the Merseyside Community Relations Council, which has been attempting to mediate between the Toxteth black community and the government in the wake of the riots, says that "the tensions with the police are very real, and young blacks have every reason to feel aggrieved." Brown believes that overreaction and incidents of purposeful provocation by the police sparked Liverpool's rioting, but he blames police inexperience and fear as much as intentional racism. Says Brown: "Lots of these police are young, scared and ignorant."

The most common complaint by black youths is that police constantly harass them with "stop-and-search" tactics. Said one rioter in Manchester: "I've been arrested every week. Stop, search, stop, search. I threw a couple of bricks, hit a couple of policemen. Just getting my revenge." Declared another youthful rioter: "They hate us, and we hate them." Indeed, that intense resentment of police and authority is frequently shared by white working-class youths.

Brown argues that "this government has grossly underestimated the situation. There is panic and there is fear, because they know that this country is very, very close to being completely out of control." That may have been overstating the case, but there was no question last week that modern Britain was witnessing a frightening phenomenon it had not seen before.

"Much more difficult than any other problem in this situation," Home Secretary Whitelaw told TIME, "is the alienation of the young people, black and white, from all forms of authority because of the frustration they feel. This is the paramount issue of the terrible events of the past few days."

The government's dilemma: How could it hope to reach out to its alienated young if it cannot promise them the prospect of a job? —*By Marguerite Johnson. Reported by Ken Banta and Frank Melville/London*

Manchester: a shopkeeper finds the phone works in his demolished store

"I threw bricks, hit a couple of policemen. Just getting my revenge."

FRANCE

They Were Not Kidding

The Premier outlines a sweeping blueprint for Socialist reform

"We will do exactly what we said we would do—no more, no less." With those words, spoken from the gilded rostrum of France's National Assembly last week, Socialist Premier Pierre Mauroy unveiled his government's program for transforming the country's social and economic landscape. The only real surprise was Mauroy's determination, at the behest of President François Mitterrand, to act quickly on the basic planks of the Socialists' electoral platform: nationalization of banks and a number of industries, decentralization of the nation's administrative machinery, and reform of the tax and judiciary systems.

As Mauroy outlined his sweeping plans, the opposition benches occasionally emitted yelps of protest, but they were usually drowned out by applause from the Socialists. Mauroy taunted the center-right deputies good-humoredly: "I understand how difficult it must be for you in the opposition. We were there for 23 years."

The opposition rallied to the attack during the six hours of debate that followed Mauroy's speech. François Ceyrac, a spokesman for Big Business, later summed up the criticism: "Nationalizations are an economic absurdity that threatens to become a catastrophe for the French economy."

But rhetorical protests were sure to fail in an Assembly where leftists hold 288 of the 491 seats. Mauroy's proposals were finally approved by a solid 302-to-147 vote, with the rest abstaining.

With the number of unemployed now at 1.8 million (7.2%) and rising, Mauroy told the Deputies that his government's overriding objective was to "put France to work" through a unified national effort. Among the points he outlined:

NATIONALIZATIONS. Most of the remaining private banks, some 200 in all, will come under direct state control as soon as the enabling legislation goes to the Assembly in the fall. The Socialists will move to take over eleven major industrial groups, including the Dassault-Breguet aviation conglomerate, two steel companies, two chemical conglomerates, two high-technology firms and an electronics corporation. Three companies would be exempted from peremptory nationalization because of their significant foreign shareholdings: CII-Honeywell Bull (47% U.S.-owned), International Telephone and Telegraph Corp.'s French subsidiaries (99% U.S.-owned) and Roussel Uclaf Pharmaceuticals (57% West German–owned). The government will soon begin special negotiations with these firms on the terms of their eventual takeover. In general, said Mauroy, non-French shareholders would have a choice of cashing in now, selling their assets to the state next fall, or retaining a stake in the Socialist experiment. The announcement caused no undue panic: the French stock exchange actually posted a 2.2% gain following Mauroy's speech.

UNEMPLOYMENT. The Premier announced a two-year program to create more jobs by investing more public money in selected industries. In addition, some 210,000 low-level employees would be hired by government agencies.

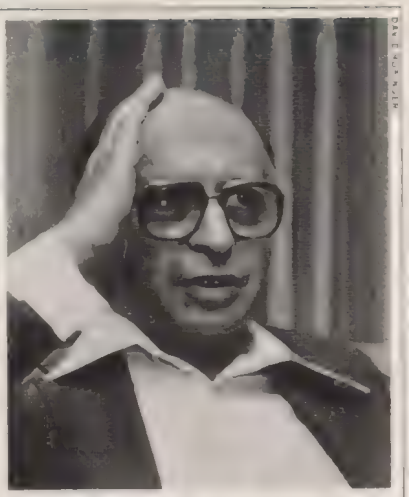
TAXES. Although it specified no figures, the government wants to increase the tax burden of the wealthier sectors of French society to pay for expanded social services.

DECENTRALIZATION. Mauroy confirmed that the government would dismantle the Napoleonic system of having the Minister of the Interior appoint the administrators of France's 95 regional governments. They would be replaced by locally elected assemblies.

To the cheers of even many opposition members, Mauroy ended with a description of France's emerging foreign policy that in some ways appeared more staunchly pro-Western than that of former President Valéry Giscard d'Estaing. The U.S. and the NATO countries, he said, were "in the first rank of our allies." At the same time, Mauroy sharply condemned the Soviet invasion of Afghanistan and warned against intervention in Poland—a statement that reduced the government's four Communist ministers, who had been applauding earlier remarks, to glum and awkward silence. ■

Mauroy making a parliamentary point

Yelps of protest from opposition benches.



Begin during a break in the coalition talks

MIDDLE EAST

Back to Normal

Tensions are rising

The Israeli warplanes screamed north across the border. About eleven miles into Lebanon, they swooped to the first attack, firing rockets and dropping bombs. Their targets: three Palestinian guerrilla outposts. The raid, the first in more than a month, was reported by Lebanese authorities to have killed three people and wounded 20 others. More significantly, it indicated that Israeli Prime Minister Menachem Begin, who was confident of his ability to form a new government after the close elections of June 30, was again ready to pursue a tough policy against Israel's enemies. The situation, in short, had returned to normal.

The Israeli air strike was only one of several disturbing signs last week of the continuing tension in the Middle East. The Soviet Union and Syria conducted joint naval maneuvers, a blunt reminder to the Israelis that they could be borrowing trouble if, as Begin had warned, they tried to knock out the Syrian missile sites in Lebanon. U.S. Envoy Philip Habib returned to the Middle East to try again to settle the Syrian-Israeli dispute, but so far neither side seems ready to budge. Complained Begin, a bit sanctimoniously: "With all due respect to my dear friend Philip, he didn't solve the problem."

In the meantime, the Arabs were growing restless over the diplomatic stalemate. Jordan's King Hussein, one of the best friends of the U.S. in the region, spoke bitterly about American policy to Anthony Lewis of the New York *Times*. Hussein was particularly angry with the U.S. for refusing to do more than rebuke Israel for its bombing of the Iraqi nuclear reactor last month, and for tolerating the Begin government's policy on the occupied West Bank and Gaza Strip. Declared Hussein: "Israel is the U.S., and the U.S. is Israel. That is the reality." The Israelis operate under "your American protec-

tion, your armaments, your material resources," said Hussein. "How do you expect us to be tolerant?" A State Department official agreed that Hussein's views reflected those of other Arab states. Said he: "Israel is seen as tremendously strong and aggressive."

After months of moving slowly on the Middle East, the Reagan Administration is getting ready to launch a drive for a settlement of the Palestinian issue. The U.S. is encouraged that Begin will confer with Egyptian President Anwar Sadat in Alexandria later this month, an indication that the two are still prepared to work together. This fall, following separate visits to Washington by Begin and Sadat, the Administration is expected to name a new special negotiator, perhaps Philip Habib, whose job will be to get the stalled Camp David peace process moving again. The Arabs are convinced that the U.S. will be obliged to pressure the Israelis if there is ever to be a solution for the Palestinians of the West Bank and the Gaza Strip.

But the only compromises that Begin has been willing to make lately are the ones that would enable him to retain power at home. Two weeks ago, his Likud coalition won 48 seats in the new Knesset, to Labor's 47. But after almost a fortnight of intensive discussions with the small religious parties that hold the balance of power, Begin appeared to have talked the three—the National Religious Party (with six votes), the Agudat Israel (with four) and TAMI (with three)—into joining a Likud government. That would give Begin and his colleagues a bare-bones majority of 61 seats in the 120-member Israeli parliament.

The National Religious Party's leader, Yosef Burg, 72, an old hand at kingmaking, demanded three or four Cabinet posts for his six Knesset members as the price of their support. Among other things, the Agudat Israel party wants Begin to revise the legal definition of a Jew in order to exclude those who were converted to Judaism by non-Orthodox rabbis. In effect, this would deny them automatic citizenship if they immigrated to Israel.

But such a change could offend Jews in the U.S. and elsewhere who belong to Reform or Conservative congregations. Indeed, the proposal drew a quick rebuke from Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, who declared that the change could cause "a serious rupture of the unity of the Jewish people."

One Likud member harshly criticized the religious parties for attempting political "blackmail." Insisted a Liberal Member of Likud: "I'm not going to vote for any legislation that tries to turn the clock back to the Middle Ages." But Begin is apparently convinced that he can work his way around such problems and form a government that is balanced, if need be, on one vote. ■

IRAN

Enemies of the Clergy

The mullahs confront an emboldened breed of Islamic leftists

In the turmoil of revolutionary Iran, the force that the mullahs fear the most is a tough, aggressive and shrewd group of Islamic urban guerrillas known as the *Mujahedin-e Khalq*. Last week the government charged that one of the guerrillas —a 23-year-old science student named Mohammed Reza Kolahi—had rigged the two bombs that exploded on June 28 in the headquarters of the Islamic Republic Party and had then disappeared after the blast.

Iran claimed that 74 victims died, but TIME has learned from sources close to the ruling clerics that as many as 150 people were killed. The authorities acknowledged the deaths of major leaders in the party but did not cite many anonymous powerbrokers and activists who also perished. The result, according to a senior Iranian civil servant, was that "the terrorists effectively beheaded the I.R.P."

***Mujahedin* Leader Rajavi (right) at rally**

"Iran has become a horror movie."

Nobody doubts that the *Mujahedin* possess the stealth, cunning and means to carry out such a lethal operation. They once put under the brass cover of a rice dish a bomb that killed one of the Shah's judges as he pondered the fate of some guerrillas. They have other skills as well. It was the *Mujahedin* who are believed to have masterminded the escape of former President Abolhassan Banisadr, whom they supported, after he had been deposed by the government. Banisadr is now thought to be hiding in the Kurdish region in northwestern Iran.

In more than a decade of fierce and bloody battles with the Shah's secret police, the *Mujahedin* were renowned for fighting to the last bullet and then popping cyanide pills. But since the revolution they have displayed keen instincts for survival. After seizing some 70,000 weapons from armories when the Shah fell from power in 1979, they have bided their time, waiting for the proper moment to challenge the mullahs.

Today the *Mujahedin* are by far the best organized opposition to Ayatullah Ruhollah Khomeini. Their leader, Massoud Rajavi, 33, commands a force of guerrillas estimated to be as large as 100,000, with several hundred thousand supporters among the intellectuals, workers, farmers and middle class. Says a Western intelligence analyst: "The *Mujahedin* have the capacity to make life miserable for the ruling clerics. They are a threat to Khomeini's people because to the common man both groups seem to be cut from the same cloth—both proclaim they will create a true Islamic state."

Mostly young and educated, the *Mujahedin* charge that the ruling clergy's primitivism and *"petit bourgeois* understanding of Islam" merely pave the way for a return of Western exploitation in Iran. The guerrillas want to prod the revolution into breaking down class distinctions through a radical redistribution of wealth, collective farming, nationalization of the entire economy and government by decentralized councils.

The *Mujahedin* hope the clergy's brutal crackdown will create sympathy for their cause, just as it occurred in the final years of the Shah's reign. In that sense, the mullahs seem to be playing into their hands. Firing squads killed more than 50 "counterrevolutionaries" last week, raising to at least 153 the number of people executed since Banisadr was deposed as President on June 22. Jails are so packed that new suspects are no longer detained, just beaten and dumped in alleys. Laments a prominent Tehran lawyer: "Iran has become a horror movie."

Meanwhile, the government is displaying increasing nervousness. Three correspondents of the worldwide news agency Reuters were expelled and their bureau branded "a center of conspiracy against the Islamic revolution," leaving the Italian and French as the only major Western news agencies in Iran. The mullahs also remain wary of Banisadr's lingering influence with the army. Amid rumors of military dismay over the mounting chaos, Khomeini ordered a tough new purge of "deviating elements" among the troops. "Any leniency," he said, "will be like showing mercy to a sharp-toothed tiger." ■

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POLAND

More Renewal

A crucial party congress begins

Once more the strike sirens were wailing across Poland. First, 35,000 dockers at Baltic seaports from Gdansk to Szczecin walked off their jobs for an hour. The men were demanding improved working conditions and benefits. Next day, most of the 6,000 employees of LOT, the national airline, quit working for four hours. Reason: they claimed the right to name the airline's new director. (At week's end the LOT employees accepted the government's appointee as "president" but insisted that their candidate actually run the airline.) Finally, transport workers in the northwestern city of Bydgoszcz staged a two-hour warning strike to force the ouster of a local transport chief. Accused of corruption, the official finally resigned.

The sudden rash of work stoppages, the first cases of labor unrest in Poland since March, could hardly have come at a worse time for Party Boss Stanislaw Kania. Not only is he trying to grapple with the country's worst postwar economic crisis, amid shortages of everything from basic foodstuffs to vodka and cigarettes, but he faces a key test at this week's crucial party congress. Renewed unrest could create a hard-line backlash at the session, one which will determine the party's leadership and policies at a crucial juncture for the nation. Nor was the labor flare-up likely to convince a skeptical Kremlin that Kania had the situation in Poland under control.

Strikes. Economic debacle. Invasion jitters. It might seem at a quick glance that nothing much had changed in Poland since those turbulent days last summer, when an obscure electrician named Lech Walesa clambered over the gates of Lenin Shipyard in Gdansk to take control of a burgeoning national strike. In reality almost everything is different. The 1980 strikes shook the Communist world to its roots, engendering the Soviet bloc's first independent trade union, Solidarity, and launching a far-reaching process of reform and re-examination called *odnowa* (renewal).

Following the ouster of Party Boss Edward Gierek in September, the Kania regime dismissed hundreds of officials for corruption or incompetence. Many local party units began demanding more internal democracy and "horizontal" relations among themselves, reversing the orthodox Leninist top-to-bottom party structure. Unable to stamp out such trends, Kania has endorsed a series of reforms that, if approved by this week's congress, would make the Polish Communist Party the most liberal in the Soviet bloc. The Sejm, Poland's parliament, is already the most representative and outspoken legislative body among the Warsaw Pact nations.

Polish dockers walking off the job in Gdynia

The strikes could not come at a worse time

Poland's powerful Catholic Church has also played a key role in the national renewal. Archbishop Jozef Glemp, named last week to succeed the late Stefan Cardinal Wyszynski as Primate (*see* RELIGION), promised to continue the Cardinal's policies. But, though the church has won some important concessions, such as the right to broadcast Sunday Mass, some clerics fear that its influence as a unique voice of Polish nationalism may diminish with the rise of political pluralism.

Press censorship has relaxed to the point where Solidarity publishes its own newspaper, and even the official party paper, *Trybuna Ludu*, reflects a greater degree of objectivity. People in general enjoy more freedom of expression and movement than at any time since the Communist takeover in 1947.

Solidarity, meanwhile, must decide what it wants to become now that its existence is firmly established: a trade union or a *de facto* political party? Radicals in the membership are urging the latter, but Walesa has called for a return to pure unionism. Solidarity's first annual congress next month will seek to resolve these contradictory impulses.

The union's greatest problem is that most of its apparent gains, such as higher wages and shorter hours, are rendered worthless by the country's economic crisis. The queues are even longer—and the shelves emptier—than they were a year ago. Unless the workers scale back their demands, there seems to be little chance for national recovery. "If this continues, those who applauded us in August 1980 will be throwing stones at us," Walesa admonished at a Solidarity meeting in Gdansk last week. That would be a rude awakening indeed from the dream of *odnowa*. ■

NICARAGUA

Minus Zero

A revolutionary hero departs

He was the most popular figure of the Sandinista revolution. In August 1978 he led the takeover of the National Palace in Managua, a daring assault that marked the beginning of the end for the forces of Nicaraguan Dictator Anastasio Somoza. After the Sandinistas seized power, the movie-handsome guerrilla became an almost legendary symbol of the successful struggle. Whenever he appeared in public, crowds would break into spontaneous applause for the man they called by his *nom de guerre:* Comandante Cero (Commander Zero).

But last week Edén Pastora stunned the Sandinista leadership by resigning as Vice Minister of Defense and leaving for Panama. The ruling directorate tried to talk Pastora into returning. Three directorate members appeared on national television to plead with the revolutionary hero to "undo" his action.

The trio also read a letter, allegedly written by Pastora on June 26, suggesting that he would carry on the struggle in El Salvador or Guatemala, fighting in "the trenches where the duty of an international combatant leads me."

But Pastora's first remarks to the press on arriving in Panama suggested that revolutionary fervor may not have been his only motive. Panama's daily *La República*, whose editor met with Pastora shortly after his arrival, reported that the Nicaraguan had left following a "break with [Interior Minister Tomás] Borge and the Reds" over the presence of "many military observers from Cuba in Nicaragua," along with increasing numbers of Cuban and Soviet "political units."

That explanation was not implausible. Pastora is not a hardened Communist; nationalism, rather than Marxism, has always been his creed. Moreover, he is more soldier than politician, and thus may have become impatient with the rather low-level administrative job in the military he was given by the victorious Sandinistas.

One thing was certain: whether the flight was prompted by ideology or a personal disillusionment, the Sandinistas had lost their national hero on the eve of their second anniversary in power—an event that will be celebrated July 19 under the cloud of his departure. ■

Rebel Edén Pastora

ARGENTINA

Living with Ghosts

The "disappeared" and charges of Nazism dog the military

Every Thursday afternoon the ritual of protest is repeated in front of Argentina's presidential Pink House in central Buenos Aires. A small group of women gather in the Plaza de Mayo under the watchful eyes of blue-uniformed police. There, for 30 minutes or so, the women walk in a large circle. There is no sound but their footsteps. Occasionally, the women may try to present a petition at the government building; almost always they are rebuffed. Then they disperse, returning to take up their vigil the following week.

The "Mothers of Plaza de Mayo" (or "Mad Mothers," as they are called by some cynical Argentines) are engaged in a mute contest of wills. Their aim: to discover the whereabouts of their kin, among the 6,000 to 24,000 Argentines who disappeared during the fierce war against terrorism waged by the military after it took power from the country's hapless Peronist government in March 1976.

Most of those who disappeared, the *desaparecidos*, were abducted by plainclothesmen claiming to be members of the Argentine security forces. The evidence is overwhelming that many, if not most, of those seized were tortured, murdered, and their bodies dumped in secret graves. The ferocity of the antiterrorist campaign made Argentina a special target for human rights activists in the U.S. Congress and in the Carter Administration.

Political murder no longer is common in Argentina; the number of thoroughly documented "disappearances" dwindled to twelve in 1980 and, according to the U.S. State Department, there have been none since. With that in mind, the Reagan Administration has endorsed the sale of arms to Argentina, banned by Congress since 1978, and last week supported loans to the junta by international development banks. But the memory of the terror is still raw, and Argentina, in the words of Emilio Mignone, one of the country's leading human rights activists, is "a country living with its ghosts."

These days there are ample signs that the ghosts, along with other problems, are haunting Argentina's ruling military circles. The land they govern is vast (over 1 million sq. mi.), sparsely populated (28 million people), and has long been one of the great granaries and beef exporters in the world. But Argentina's ceaselessly turbulent politics, oscillating for decades between chaotic populism and military dictatorship, have kept the country from realizing its enormous potential. Today, the Argentine economy is deteriorating badly. The inflation rate, for years the world's highest, had declined from 600% in 1976 to 88% in 1980 under the military, but now is estimated at 150%. Popular criticism, once cautiously directed only against the government's civilian economic team, is starting to turn against the military rulers themselves.

One indication of the restlessness beneath the authoritarian veneer was the scene last week as the government freed the country's last civilian President, María Estela Martínez de Perón, 49, after five years of detention. A onetime cabaret dancer, she assumed power after the death in 1974 of her husband, Dictator Juan Domingo Perón, but proved to be woefully incompetent and was jailed in 1976 by the military junta for misusing public property. The military finally arranged her release to remove a rallying point for her still loyal followers, who remain the most potent civilian political force in the country. As the ex-President was sped under close guard from a courthouse to her suburban retreat 25 miles outside Buenos Aires, a small crowd of Peronist bystanders chanted her name. Three days later, she arrived in Madrid, and immediately went into seclusion. According to Argentine military authorities, she is free to return to Argentina but is banned from holding public office or making public political statements.

While the regime was maneuvering at home, it was severely buffeted by criticism from abroad, stirred up by Newspaper Publisher Jacobo Timerman, a former military prisoner who has revived the terror issue by charging in a U.S. best-seller that Argentina's government is Nazi in nature. A Jew, Timerman has evoked the image of a new Holocaust.

One of the many ironies of Argentina is that Timerman was among the majority of citizens who welcomed that military coup in 1976. In the years before and after the 1973 return to power of former Dictator Perón, Argentina suffered the worst bout of terrorism on the continent. Thousands of left-wing Peronist disciples, known as Montoneros, allied with Trotskyite guerrillas to terrorize and murder at will. Among their victims: onetime Argentine President Pedro Aramburu, General Juan Carlos Sánchez, commander of the Argentine army Second Corps, and John Patrick Egan, a U.S. government representative. Some 700 people were killed by guerrillas, most of them members of the security forces. The guerrillas kidnaped scores of businessmen, particularly foreigners, and companies such as Kodak, Exxon, Firestone and Ford paid out millions of dollars in ransom and blackmail. In the kidnaping of two scions of the Argentine trading conglomerate Bunge & Born, the guerrillas reportedly netted $60 million.

By the time the leading generals, admirals and air-force chiefs stepped in once again, the country had clearly slipped into anarchy. Then the new government unleashed what its own officials called its "dirty war." Plainclothes squads roamed cities by day and night, dragging off suspected subversives in unmarked cars. The government fought terror with terror, allowing cells of gunmen to act independently of any central command—and thus out of control.

The dirty war was eventually won; there have been no major terrorist incidents since late 1979. But not all Argen-

Snapshots of some of the "disappeared" persons kept by the "Mothers of Plaza de Mayo"

"I can't stand this torture any longer," said the daughter. "I want to die."

tines who fell into the paramilitary vortex were terrorists by any means, and that fact has left ugly scars on the nation and its people.

Among those swept up in the antiterrorism drive, for example, were as many as 100 children under the age of seven (picked up with their parents), 1,000 expectant mothers, and probably thousands of victims whose only political crime was that their names appeared in a suspect's address book. Torture, including electric-shock treatment, was routine, and so unrelenting, says one foreign intelligence expert, that afterward "the subjects were simply not fit human beings." Rather than release such shattered prisoners, says this source, the authorities simply killed them.

The terror may be gone, but the anguish remains. Vignettes:

▸ A mother waits for word of her 19-year-old daughter. The two women were kidnaped by armed men four years ago, blindfolded and taken to a cavernous garage. The two were separated, and the mother remembers loud music that did not quite drown out the screams from nearby rooms. Finally, the mother sensed the presence of her daughter by her side and whispered her name. "Mother," the girl said, "I can't stand this torture any longer. I want to die." The mother was released. That was in 1977. She has heard nothing since about her daughter.

▸ A mother remembers a quiet Saturday when her only son, a physicist, was playing the organ in the living room. Plainclothesmen arrived. The men pleasantly asked the son to go with them and assured the parents that he would soon return. Five months later, an anonymous army colonel arrived at their home to say that their son had made "a favorable impression." A year after that, an army major told them that they would soon see their son again. There has been no word since 1979.

▸ Young relatives of high-ranking military officers tell of a water-skiing outing on Argentina's broad River Plate. Their boat's propeller fell away and sank near a military installation. One member of the group dived overboard to look for the gear. He climbed back into the boat shaking and vomiting. He had found an underwater grave containing dozens of weighted bodies, all beheaded.

Though outright violence has waned, a clumsy but determined form of repression still governs the country. Agents frequently detain "suspicious" individuals for anywhere from 48 hours to 60 days. Political parties are still banned. When fractious civilian politicians insist on gathering, they are routinely arrested and released within 24 hours or so.

Press censorship is less systematic, but since some 60 journalists vanished during the previous years of chaos, only the most courageous journalists and publications speak out in Argentina these days. International press photographers run the risk of arrest for recording events like the protest marches of the Plaza de Mayo Mothers.

But the wary and paranoid military government was unable, finally, to gag Publisher Timerman. He was arrested in April 1977 by men claiming to be agents of Buenos Aires' Tenth Infantry Brigade. Timerman endured several months of brutal torture, including the use of electric shock, and then spent two years under house arrest before being expelled from Argentina in September 1979.

Timerman, who now lives in Israel, last May published *Prisoner Without a Name, Cell Without a Number*, vividly describing his torture and the viciously anti-Semitic attitudes of his military captors. Timerman has implied that such attitudes characterize the Argentine military regime as a whole, and he attacked the Argentine Jewish community for standing passively by in the face of an overwhelming racial threat.

Many Jewish leaders in Argentina argue, as has the Argentine military, that Timerman's arrest was due to his connections with a mysterious Jewish Argentine financier, David Graiver, who is suspected of having acted as a banker for left-wing terrorists. Graiver, who owned 45% of Timerman's *La Opinión*, apparently died in a mysterious Mexican airplane crash in 1976. Timerman, however, indignantly points out that he was held prisoner for two years after Argentine authorities declared that there was nothing illegal in his relationship with Graiver. Timerman insists that his ordeal was based on his newspaper's espousal of human rights policies.

The key questions nevertheless remain: Is the Argentine military regime as rabidly anti-Semitic as Timerman says? Can any just comparison be drawn between Argentina today and Hitler's Germany in 1933? There is some ammunition for Timerman's argument but not that much.

Even Timerman's critics acknowledge that Jews imprisoned during the dirty war almost invariably received harsher treatment than Gentiles. There have been stories for years of guards flaunting Nazi regalia in some Argentine jails. Many recall that Argentina was a haven for fleeing Nazis, including Adolf Eichmann, after World War II, and that the country remained stubbornly neutral throughout the war. Today some Argentine officials make no secret of their prejudices. One police colonel has bragged to leaders of the Jewish community, "I love to kill Jews. We like to have fun torturing Jews. The only mistake Hitler made was not to kill all the Jews." A well-known law professor at the University of Buenos Aires has made a career of publishing anti-Semitic tracts and has warned students that he will "never permit a Jew to pass" his courses. Such bigotry has been casually tolerated by the military regime. Says one bitter Argentine who survived Auschwitz, the father of one of the *desaparecidos*: "I give eight more years to the Jews in this country. And when I leave, it will be with only the buttons on my coat."

Yet many Argentine Jewish leaders argue strenuously against Timerman's allegations. They point, first of all, to the fact that during the 1930s, Argentina openly received Jews fleeing German persecution. The Argentine Jewish community of about 350,000 is now the seventh largest in the world. Jews have not been subjected to racist economic and social sanctions. Jewish families are prominent in Argentine banking circles and own huge tracts of ranch land. They operate freely as businessmen. Some of the country's most successful film directors are Jewish, as are successful nuclear scientists, painters, architects and real estate developers. Says Rabbi Marshall Meyer, a New York–born scholar who has established the first rabbinical college in Latin America: "I can join more social clubs in Buenos Aires as a Jew than I can in the U.S. But in the U.S. I also receive the protection of the law." The latter complaint, however, is not solely a Jewish one.

The key point made by Timerman's Jewish critics in Argentina is that Jews were not singled out for persecution during the dirty war. Complains Herman Schiller, editor of the left-lean-

En route to Madrid: ex-President María Estela Martínez de Perón

Freed to deny a rallying point to her still loyal followers.

Symbols of authority: military police marching on Flag Day

"Dead, Underground or Abroad"

Giving his first personal interview to a U.S. publication, President Roberto Eduardo Viola, formerly Argentina's army commander in chief, received TIME *Caribbean Bureau Chief William McWhirter in his ornate office in the presidential mansion in Buenos Aires. Viola, a short, stocky man, answered questions in a brusque military fashion. Excerpts.*

Q. How soon do you expect Argentina to be returned to democratic government?

A. We believe we are already within a democratic system. Some factors are still missing, like the expression of the people's will, but nevertheless we still think we are within a democracy. We say so because we believe these two fundamental values of democracy, freedom and justice, are in force in our country. There are, it is true, several conditioning aspects as regards political or union activity, but individual freedom is nowhere infringed in an outstanding manner.

Q. Might this period of political suspension last as long as another ten years?

A. I'm not anticipating any fixed date on this subject. It's impossible to do so under the present circumstances. The armed forces are not interested in retaining power longer than the required time when a political solution is reached that leads us to the desired democracy.

Q. But how will the government react when it becomes unable to solve a crisis, like its present economic problems?

A. The government is not living through a crisis. We cannot conceive in any manner that there may be difficulties of a political nature within any area truly representing our society.

Q. Do you think the government is responsible for the infringement of human rights and the fate of the "disappeared"?

A. We suffered a war and in order to defend what the whole Argentine nation wanted, the armed forces, together with the remainder of the country —as otherwise it would not have been possible—faced this struggle and won. If you wish to identify responsible parties, they may have been the authorities of the armed forces who, during a great part of the '70s, held power within the armed forces.

Q. Will it be possible to learn what happened to the people who disappeared?

A. I'm highly doubtful that an adequately correct list can be made, since we do not know exactly whether the persons included in certain lists as missing are really dead or have disappeared. For example, a few months ago, a so-called missing person re-entered the Argentine Republic, naturally to continue fighting against it.

Q. Would you accept that some persons were held in jail without their families having been notified?

A. There is not a single case like that.

President Roberto Eduardo Viola

You may be sure there are no hidden detainees in the Argentine Republic.

Q. Then, Mr. President, should people assume a more tragic conclusion—that something else has happened to them?

A. To take only three possibilities into account, they may be dead, underground or abroad.

Q. If dead, would that be the responsibility of those who arrested or detained them?

A. They must surely have died in direct fighting against the armed forces only, in the same manner that men at the service of the forces of order met their death.

Q. In other words, it is not possible that people were detained who carried no weapons and then were later killed while still in jail?

A. Of course not.

ing weekly *Nueva Presencia*, who once campaigned vigorously for Timerman's release from jail: "By making it so easy for the government to prove that Jews don't live in concentration camps in Argentina, Timerman has made a mockery of the real issues of Jewish life and human rights here. The police force contains anti-Semites, but on the most important holy days the police protect our synagogues."

Political Columnist Manfred Schönfeld, a German-born Jew whose family fled Berlin in 1937, has been the military regime's most prominent critic in the pages of the conservative Buenos Aires daily *La Prensa*. But, says the widely respected Schönfeld, "in playing the Jewish card, Timerman is unscrupulously behaving as an adventurer. There are anti-Semitic sectors of the country, and they are very strong, but I don't think my position is weaker because I am a Jew." Three weeks ago, he was brutally assaulted—he lost five teeth—because of his political views, and his family was later intimidated. But he does not feel he was attacked because he is Jewish. Says Schönfeld: "We are often fighting against very obscure forces and many vested interests that seem to be out of the government's control."

The paradox of the Timerman book is that by focusing renewed attention on Argentina, it may actually make the repression worse. The international furor is putting further strain on President Roberto Eduardo Viola, 56, who took office almost four months ago and has trouble enough with Argentina's economic problems. A relative moderate among the generals, Viola has promised a slow return to democracy *(see box)*, but now he is denouncing a "campaign of destabilization" against his regime. One of Viola's problems is that he has relatively little power real control is exercised by a three-man armed-forces junta that appoints the President, passes judgment on legislation and undergoes rotational changes in its own membership.

Timerman's evocation of the Nazis touches on the military's greatest fear some day it might have to answer in a court for the atrocities of the dirty war. Says a civilian confidant of high military officials: "The road the generals have chosen is very long and very dangerous. They are afraid of the consequences facing them. We all fell into the simplicity of doing away with subversion at any cost, and now we are paying the price." The Argentine military is in the isolated position that the country's foremost writer, Jorge Luis Borges, once described as the headstrong and independent role of all Argentines: "patriots without countrymen." Sadly, Argentina remains a country with far less need of patriots than of countrymen with a common cause. *—By George Russell. Reported by William McWhirter/Buenos Aires*

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A Historic Barrier Drops

The Church of England approves a new divorce policy

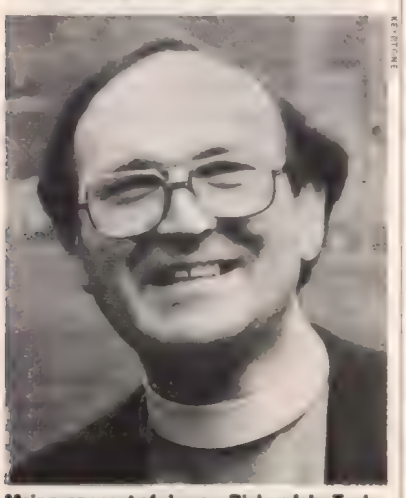
If Prince Charles were marrying Lady Diana Spencer in another day, there would be protocol problems aplenty. As late as the 1920s, divorced persons were never received socially by Britain's royal family, and Lady Di's parents are divorced and remarried. The reason for that barrier in social protocol: the British monarch is Supreme Governor of the Church of England, which, like the Roman Catholic Church, refuses to recognize divorce or allow a second marriage while the original spouse is still living.

The strictness bemuses those who recall that the Church of England was created because Henry VIII, against papal orders, wanted to shed Catherine of Aragon, his first wife, and marry Anne Boleyn. As it happened, the much married monarch did not actually divorce Catherine, but engineered an annulment. Nor did he divorce Anne or any of his succeeding four wives.* The ancient Anglican church tradition forced King Edward VIII to abdicate in 1936 so that he might marry Wallis Warfield Simpson, the twice-divorced "woman I love," and led Princess Margaret to reject the divorced Peter Townsend in 1955. Margaret's 1978 divorce from the Earl of Snowden was the first to occur in the immediate royal family.

*Anne Boleyn was beheaded; Jane Seymour died after childbirth; the Anne of Cleves marriage was annulled; Catherine Howard was beheaded; and Catherine Parr outlived Henry.

Much wed King Henry

Ex-King Edward VIII



Main proponent of change: Bishop John Taylor

Meeting last week in York, the Synod of the Church of England voted to change the rules. In a historic step, it decided by an overwhelming vote of 296 to 114 that divorced Anglicans could remarry in church. The key sentence declared that the synod "considers that there are circumstances in which a person may be married in church during the lifetime of the former partner." The meaning of "circumstances" was left undefined, pending further discussion.

In making the change, the synod was facing up to statistics and popular pressure. Great Britain now has the highest divorce rate in Western Europe: two for every five marriages (a 1979 total of 163,000 in England and Wales). Even the church hierarchy has been affected. Last month Suffragan Bishop Stephen Verney of Repton was married to a divorcee, setting off an untidy flap among conservative churchmen. At present, many Anglicans are remarried in civil ceremonies and are then blessed privately by a priest. Other couples resort to Methodist marriages, lie to Anglican clergy about previous marriages, or simply live together.

Officially, the Church of England does not yet permit its remarried members to receive Communion, though it does authorize the bishop in charge of a diocese to make exceptions. Last February's synod meeting voted in principle to rescind that prohibition. However, a committee headed by the popular new Archbishop of Canterbury, Robert Runcie, must prepare regulations on both remarriage ceremonies and Communion, and the synod must pass them, before the liberalization is final. That will take at least two years. But most priests are expected to liberalize their practices immediately. Even before the vote, many parish priests had been making informal rulings that remarriages were entered in "good conscience."

The change was backed by Archbishop Runcie, but its main proponent was Bishop John Taylor of Winchester. Said he: "The rush is on, and if the brake hasn't held, we have to do something else. We are dealing with a social epidemic." British reaction was generally favorable, but the decision does add to the long list of problems complicating reunion with the Roman Catholic Church. ■

Bishop Glemp: calling for peace and unity

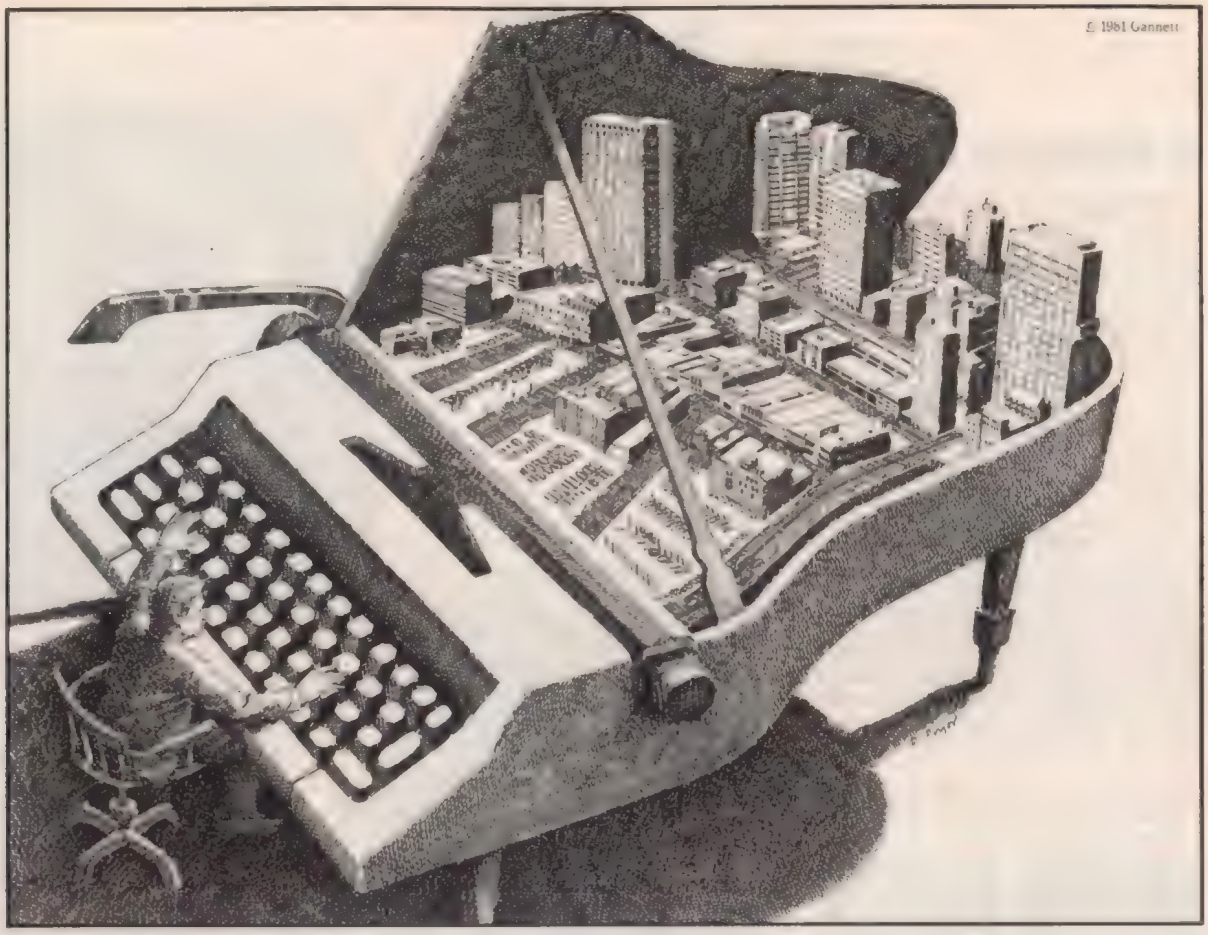
Hot Seat

Poland's new primate

When news of the appointment broke last week, the leader of the Communist Party joined the nation's President and Premier in sending congratulations. The government newspaper declared that the new man "enjoys the sincere and warm approval of the state." The subject of all this attention was a short, stout farmer's son named Jozef Glemp, who was named Archbishop of Gniezno and Warsaw and Roman Catholic Primate of Poland. "I want peace and unity for the whole nation," he promptly declared.

With Poland's internal wrangling and threats from the Soviet Union, Glemp assumes one of Catholicism's most difficult thrones. At 52, he is the youngest of the 21 bishops who head Polish dioceses. But he enjoyed the confidence of the previous primate, Stefan Cardinal Wyszynski, who died May 28. Before he became Bishop of the Warmia region in 1979, Glemp spent a dozen years in Wyszynski's secretariat, first as an adviser on canon law, then as the Cardinal's private chaplain. Glemp says he enjoyed a "father and son" relationship with Wyszynski.

A onetime laborer who earned two doctorates in Rome, Glemp has gained valuable experience negotiating with Communists on church-state relations. Glemp will be no Wyszynski. Prior to the appointment, Cracow's Father Andrzej Bardecki remarked that Wyszynski was "the unofficial dictator of the church, with prerogatives like no one else in the history of the church in Poland." But, while his successor is likely to be more collegial, the shrewd Wyszynski made sure that a well-prepared primate would still be in the thick of things. ■



OAKLAND: A REBIRTH OF SPIRIT

"I want to congratulate you," wrote the Berkeley professor to the local editor, "on your efforts to transform the Oakland Tribune into a substantial and valuable newspaper..."

In June of 1979, the Oakland Tribune became a member of Gannett, and its leaders set about the task of editing and publishing a newspaper that truly reflects its richly diverse community.

The management was strengthened, the news staff was increased, the coverage was expanded through new editions and formats, and the professional leadership was enriched to reflect the population mix of the Eastbay community. In the newsroom, for example, veteran minority journalist Robert C. Maynard was named editor. He went to work guiding the Tribune and its new morning companion, Eastbay TODAY, in refreshed efforts to serve all of the people.

The people have recognized and responded to these efforts. The Tribune and Eastbay TODAY's circulation has spurted from 160,000 to 212,000 in little more than 18 months.

More important, the Tribune has contributed to a new spirit which, coincidentally, is bringing revitalization to many phases of Eastbay life.

The Berkeley professor made that point in his letter to the editor:

"A newspaper in a major urban area must serve a diverse set of audiences. Unfortunately, that set had shriveled for too long a time. Currently, regardless of profession, age or income bracket, the Oakland Tribune is beginning to provide a common reference for all who live in Oakland."

The city and its newspaper are growing together again.

At Gannett we believe our newspapers, broadcast stations and other information services are the lifelines of the community, and they can and must grow together. Gannett news and information services work as community lifelines from San Rafael to San Bernardino, Reno to Rochester, Nashville to Niagara Falls, Bellingham to Binghamton, each growing together with its community in its own way.

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Icarus Would Have Loved It

A 217-lb. plane conquers the English Channel with solar power

Looking like a youngster's stick-and-rubber-band model, the oddly shaped plane headed slowly down the runway at the small airport near Cormeilles-en-Vexin, a village 25 miles northwest of Paris. It rose only about 50 ft. before sinking haplessly back to the ground. Five more times it tried to fly. On its seventh attempt it was able to get enough lift to make one complete turn before landing again. Finally, on the eighth, it began to rise, climbing in gently looping circles, like a hawk riding an updraft of warm air, to an altitude of about 250 ft. "O.K., you guys," radioed Pilot Stephen Ptacek, 28, to a control team on the ground. "I suggest you get the cars ready to leave."

With that, the *Solar Challenger* continued its climb to 2,000 ft. and headed northwest toward the English Channel. Five hours and 23 minutes later, after a flight of 230 miles at speeds no more than 47 m.p.h., Ptacek touched down at Manston Royal Air Force Base on the southeastern coast of England some 20 miles north of Dover. His odyssey might have made Icarus drop with envy. In a historic feat, *Challenger* had managed to cross the Channel powered only by the glinting rays of the sun.

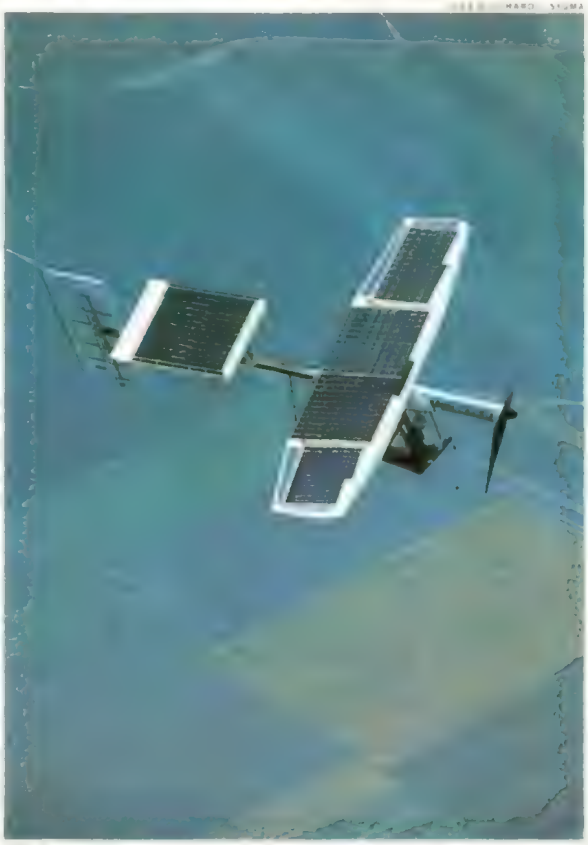
The flight was one more coup for *Challenger's* designer, Paul MacCready, 55, of Pasadena, Calif. Four years ago, the innovative aeronautical engineer achieved an aviation milestone when another of his diaphanous, lightweight craft, the *Gossamer Condor*, became the first plane to complete a 1.15-mile, figure-eight course on human power alone (generated by a bicycle-like set of pedals). Two years later MacCready's *Gossamer Albatross* made the first such muscle-powered crossing over the English Channel.

Prior to last week's triumph, other planes had flown on sun-generated electricity. But until MacCready, energy was stored in batteries. By contrast, *Challenger* draws its electricity directly from 16,128 solar cells spread over the top of its 47-ft.-long wings and 13-ft. horizontal stabilizer. The cells, originally designed for Air Force satellites, were borrowed from NASA. (Their cost, if MacCready had had to buy them: at least $130,000.) During the flight, they produced a maximum of 2,700 watts of power, less than 4 h.p.; that is roughly one-thirtieth the power of a small, gasoline-driven aircraft. But it was more than enough to drive *Challenger's* two beer-can-size electric motors, mounted directly behind its big prop. Made largely of tough lightweight plastics —Kevlar fiber struts, Mylar sheathing, a Lucite windscreen, all from the project's sponsor, Du Pont—*Challenger* weighs only 217 lbs., excluding Ptacek, who had managed to diet down to 122 lbs.

For a while, it looked as if MacCready's plastic bird might never leave its nest. Since arriving in France in early June, he and his colleagues had played a frustrating game of hide-and-seek with the sun, made one false start and even sought more favorable conditions by packing up and shifting their base to England before returning to France. When Ptacek, who honed his flying skills as a crop duster, finally got under way last week and started climbing to his cruising altitude of 11,000 ft., he radioed that he was being buffeted by turbulence from a passing passenger aircraft. Then a helicopter and a small plane, both apparently filled with photographers, began jostling him as well. He warned he would have to land. Just in time. Ptacek's colleagues—following by car from Cormeilles to the coast, and in a chase plane with MacCready on board—managed to get rid of the troublesome aircraft with the help of French air controllers, who threatened to revoke the pilots' licenses.

The actual Channel crossing lasted only 1 hr. 25 min. But Ptacek kept *Challenger* airborne an extra 23 minutes to let photographers land first, be cleared by startled customs agents, and get into position to record what turned out to be a perfect landing. Ptacek, gorging on chocolate mousse from R.A.F. chefs, said: "It was a real experience for someone like me who had never been to Europe." MacCready, joining the celebration with pilot and crew, conceded that "flying an airplane with solar cells is just about the most ridiculous use for solar energy that I can think of." Nonetheless, he insisted that the flight (total cost: more than $725,000) was not midsummer madness but the best way he knew to show the potential of solar power as an energy source. Not that he has given up on conventional energy. His next goal, he says, is to promote a lightweight, two-seat plane with a gasoline engine so efficient that it can fly round the world nonstop without refueling.

—By Frederic Golden. Reported by Ken Banta/London and William Dowell/Paris



***Challenger* flies over French farm land soaking up the sun's energy**

After some 5½ hours aloft, a perfect touchdown

Pilot Ptacek with MacCready

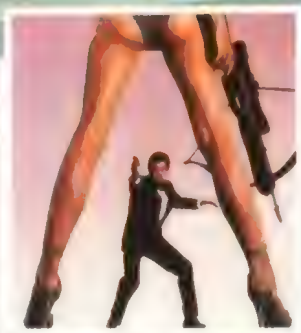
People

Model Bartle out of Bondage

James Bond movies are known for racy scenes, but the sexiest part of *For Your Eyes Only* may very well be the advertising poster. It is standard Bondage: a cheeky shot of a woman dangling a crossbow in her hand while **Roger Moore,** as 007, aims a pistol between her calipered legs. While Boston did not go so far as to ban the poster, the editorial Bowdlers at the *Globe* and the Los Angeles *Times* deemed the poster suitable for their eyes only and demurely cropped out everything just above the knee. At the Pittsburgh *Press*, editors actually put a pair of shorts on the leggy lady. Amidst the furor, three models who had posed for the poster went out on their limbs claiming fame. Photographer **Morgan Kane** ended all speculation with the announcement that the legwork was the product of **Joyce Bartle,** 22, a native New Yorker. "I was embarrassed that I had to prove that the legs were mine," says Bartle. "You know your own legs when you see them." After all, the Wilhelmina model has filled stockings for Hanes, L'Eggs and Givenchy. Bartle scarcely minds all the controversy. Says she: "This will give me a leg up on my competitors."

■

When his father lived in the White House, publicity-shy **Steve Ford** preferred to make his home on the range and his living by rodeo riding. But the silver screen beckoned a couple of years ago, and Ford got a chance to saddle up with **Rod Steiger** as a U.S. deputy marshal in a western movie



The leggy ad *For Your Eyes Only*

called *Cattle Annie and Little Britches*. Now Ford, 25, has signed on full time for a CBS daytime soap, *The Young and the Restless*. This time he plays a nightclub bartender who woos a stripper, played by comely **Melody Thomas.** Says Ford: "Melody and I did some pretty steamy love scenes last week. I told Mom I might not give her the air dates for those particular scenes." Not to worry. Former First Lady **Betty Ford** remains unruffled; last year she gave her unflagging support to Steve during a paternity case that was eventually settled out of court. CBS can count on former President **Gerald Ford** to up his audience. Notes Steve: "Dad always watches me and makes sure he's not playing golf when I'm on."

■

It was a real cool climax to the Kool Jazz Festival at New York's Lincoln Center when none other than the reclusive **Miles Davis** horned in. Davis, 55, one of the alltime great trumpeters, emerged from a five-year hibernation to blow a blend of rock and jazz, captivating an S.R.O. crowd that had paid $25 for orchestra seats. Some things never change. Davis was typically late, so the organizers told his fans to get a drink while they waited. No sooner were the customers out of the building than Davis bopped onstage and started to play, triggering a stampede back to the seats. Although he gave his fans a wave, Davis sometimes played with his back to the audience. After the last note, the crowd booed, but not out of anger. They simply wanted more Mileage for their money.

Actress Melody Thomas finds a young and restless Ford in her future

Astronaut **Alan Bean,** 49, who walked on the moon in 1969, is no has-Bean. Even though he retired last month from NASA, Bean still ranks as a man of the moon. His self-appointed mission: to paint lunar landscapes. A 20-year dabbler who once imitated the apples and oranges of his favorite painters, Cézanne and Degas, Bean switched three years ago to moonscapes. His works, featuring black sky, gray ground and American lunar craft are a spacy combination of impressionism and realism. So far, he has finished six such oils and plans a show for next year. Snaps Bean: "I want to be known as the definitive Apollo painter."

■

From the bidigital look of things, his typing speed may fall short of Competitors **Ann Landers** and **Dear Abby,** but make no mistake about it, Rep-

Davis' horn of plenty

resentative **Claude Pepper,** 80, is really keyed up over his new advice column, syndicated to some 700 newspapers. Since he is also chairman of the House Select Committee on Aging, Congressman Pepper's "Lonely Heart's Club" banter will deal with the concerns of the elderly. But like any columnist worth his salt, Pepper will spice up matters with advice to the lovelorn. Asked one reader: "I am 74 years old, a widower, and am seriously considering marriage to a woman who is 68. We are curious to know whether a lot of people our age get married." His reply: "They sure do. In 1977, there were 21,180 brides and 38,820 grooms over 65. For 90% of these, it was the second marriage." Taking note of

Congressman Pepper puts his gray matter to work, grinding out advice

John W. Hinckley Jr., outside the Hilton, before shooting the President

Muriel Humphrey's decision to wed High School Friend **Max Brown** (both over 65), Pepper nodded cheerful approval. Concluded he: "Good luck to them. Good luck to you." For now at least, Pepper shakes off any notions of retiring to devote his full energies to his new vocation. Says he: "I contemplated retiring, and I sort of tentatively fixed a date—the year 2000."

■

Everybody seems to be buying a gun for self-protection, even some convicted criminals. Consider the case of **E. Howard Hunt,** 62, who served 33 months in federal prisons, was fined $10,000 for his role in the 1972 Watergate break-in at Democratic National Headquarters, and is now living in Miami Shores, Fla. As a felon, Hunt is barred by law from owning a firearm. The former CIA agent appealed last April to state authorities, telling them he wanted a shotgun to carry on a family tradition—hunting. Last week, the writer and sometime lecturer also declared that he needed a gun to protect his home. Pleaded Hunt: "All of my neighbors are armed. Everyone I know is armed." Before making an exception to the gun-ownership law, Governor **Robert Graham** had to know if a firearm had been involved in his crime. Hunt disarmingly assured him that his conviction was not for burglary but merely for conspiracy to intercept telephone conversations. The Florida cabinet decided to show him clemency, and the Hunting license was granted.

■

For 24 years he was called "Father," but never just "Dad." Last week the Rev **George Clements,** 49, pastor of Holy Angels Roman Catholic Church on Chicago's South Side, formally adopted Joey, 13, a boy abandoned since infancy. The move has been in the making since last November when Clements tried in vain to get his parishioners to take in black children, whose adoption rate lags behind that of whites. The priest, an activist who once served as a Black Panthers chaplain, went before his congregation one Sunday and announced from the altar: "All right, if you won't adopt, then I will." Though the Catholic archdiocese was cool to the proposed addition to Clements' flock, it eventually admitted that there was nothing in the church's code of canon law to prevent adoption. Says Joey, happy to move from the orphanage to the rectory, "I'm less independent now, and I think I like that."

■

Al Fury, 56, was standing outside the Washington Hilton, where he works as director of security. It was a drizzly March afternoon, and President **Ronald Reagan** was on his way to the hotel to give a speech. Fury, his eye out for potential troublemakers, spotted a heckler he knew in the crowd and quickly snapped him with his Olympus camera. Unfortunately, when the film was developed, the heckler was nowhere in sight. He had ducked behind the group of President watchers. But Fury did discover someone more intriguing: President-Stalker **John W. Hinckley.** In the midst of a group of smiling people waiting to see the President, Hinckley *(see arrow)* looked worried and anxious. The photo, taken an hour before Hinckley's assassination attempt, has nested in FBI files for three months. It was shown to a grand jury, which has not yet handed down an indictment of Hinckley. This week Fury unveils the photo to the public for the first time.

Father Clements with his new son outside his Chicago church

On the Record

A. Bartlett Giamatti, 43, lovable but rumpled president of Yale, comparing himself with dapper Predecessor Kingman Brewster: "I don't have his beautiful suits, but I wouldn't look good in them."

Jack Valenti, 59, president of the Motion Picture Association of America, on why Third World countries do not produce films: "You cannot by edict, bayonet or nuclear threat force somebody to make a good movie."

Pasquale Di Fabrizio, Hollywood's longtime "bootmaker to the stars," reflecting on a pair of boots he once made for then Actor Ronald Reagan: "I recall telling him that those boots would take him anywhere he wanted to go. Look at how right I was."

Vic Ziegel, sportswriter, on how the baseball players' strike has altered his daily routine: "I walk the dog a lot. The only trouble with that is, whenever he scratches behind his left ear, I feel I ought to bunt."

Garry Trudeau, cartoonist, on keeping out of the public eye: "I've been trying for some time now to develop a life-style that doesn't require my presence."

History's Biggest Merger

Du Pont springs a surprise $7 billion offer for resource-rich Conoco

While most Americans were enjoying fun and fireworks on the Fourth of July weekend, teams of executives from Conoco Inc. and Du Pont and Co. had forsaken friends and family to work almost round the clock on the biggest merger in U.S. corporate history. Du Pont, the largest U.S. producer of chemicals, had secretly offered to buy Conoco, the ninth biggest American oil company. After five hectic days of staff work, the deal seemed set. On Sunday night of the July Fourth weekend, Du Pont Chairman Edward Jefferson flew from his headquarters in Wilmington, Del., aboard a King Air twin-engine turboprop to Stamford, Conn., for a midnight meeting with Conoco Chairman Ralph Bailey in that company's boardroom rotunda. Just after 1 a.m. the two weary, rumpled chief executives settled final details, sealed the agreement with a handshake and retired to Bailey's office for a round of Scotch and bourbon. Du Pont was paying some $7 billion in cash and stock for Conoco. The union could form the seventh largest industrial enterprise in the U.S., ranking just behind the Ford Motor Co

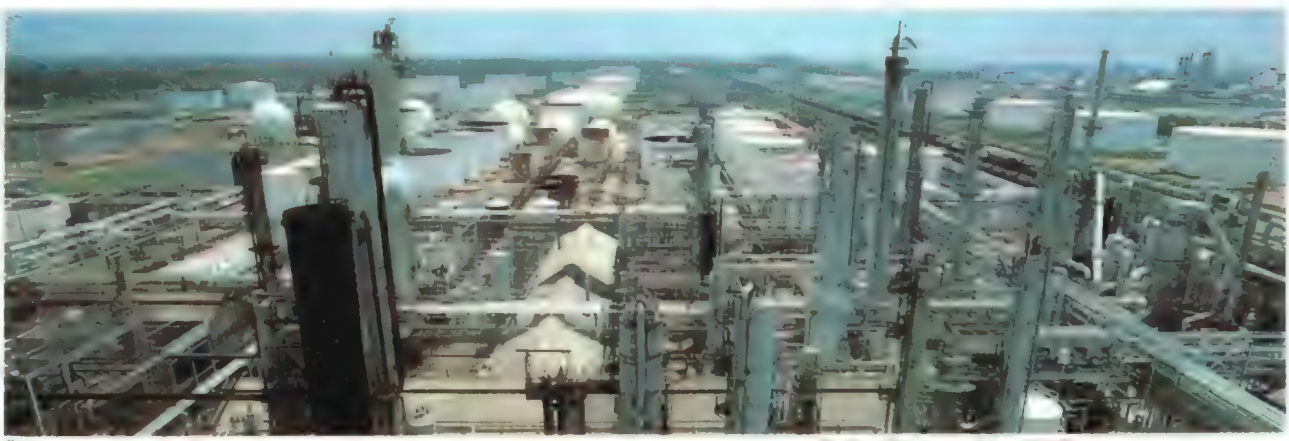
That marriage, however, is not totally certain. The deal still has to be accepted by stockholders of both Du Pont and Conoco. For two months a flock of suitors had fought over Conoco in a bidding battle as frenzied as an auction for a newly discovered Rembrandt. The other most serious contenders: cash-laden Seagram Co. of Canada, the world's largest liquor distiller, and Texaco, the third biggest U.S. oil firm

The fierce competition for Conoco is only the latest manifestation of the merger mania that is sweeping the U.S. This year alone, seven deals each worth $2 billion or more have been started or completed. Like baseball club owners plucking off free agents, corporate captains are choosing up sides in a wild scramble that could bring significant shifts in the balance of power throughout U.S. industry. The Reagan Administration seems to be encouraging the merger makers, and Attorney General William French Smith proclaims, "Bigness does not necessarily mean badness."

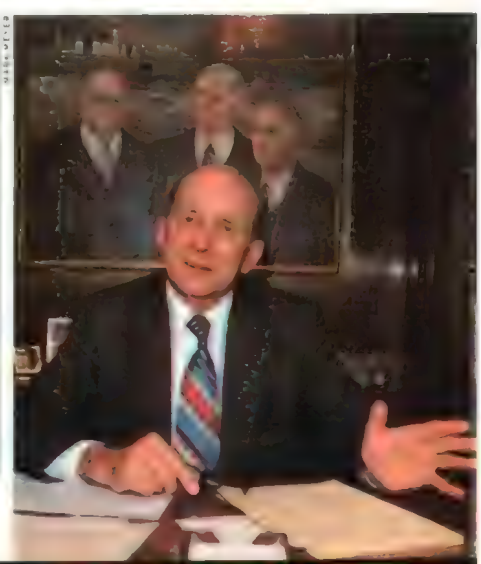
The Conoco–Du Pont agreement was the climax of a complex drama of high finance. It began with unwelcome assaults on Conoco by two Canadian companies. The first came in May, when Dome Petroleum bought 20% of Conoco's stock. The U.S. company fended off that threat by agreeing to trade its majority interest in the Hudson's Bay Oil and Gas Co. in return for the Conoco stock that Dome had acquired. At the same time, however, a more ominous Canadian challenger appeared. In late May, Seagram privately approached Conoco with an offer to buy 35% of the oil firm's shares. Edgar Bronfman, Seagram's adroit chairman, is currently on the hunt for new acquisitions with nearly $3 billion, gained largely from the sale of Texas oil and gas properties

But Conoco's executives saw no way that a large oil concern could be rationally integrated into a liquor company. They also feared that Seagram would bring in new management. Around the oil firm's headquarters, employees bitterly

Conoco Chairman Ralph Bailey



Takeover target: the oil company's mammoth refinery in Lake Charles, La.



Du Pont Chairman Edward Jefferson

joked that the motto of a combined Seagram-Conoco enterprise would be "Drink and Drive." Chairman Bailey quickly searched for an alternative merger partner, or so-called white knight, to thwart Seagram's plans. His first choice was Tulsa-based Cities Service, an oil company less than half Conoco's size but with exploration rights to 10 million U.S. acres. Readily agreeing to talk, Cities Service President Charles Waidelich met with Bailey at New York City's Waldorf-Astoria hotel to draw up a merger plan.

As Bailey was bargaining with Cities Service, he and eight other top Conoco officers deftly moved to protect at least themselves in the merger game. Conoco's board of directors gave them new employment agreements that guaranteed the payment of their salaries at least through mid-1984. Bailey's own arrangement called for annual pay of $637,716 until 1989. Observed one cynical Conoco employee: "They equipped themselves with golden parachutes." The company also lined up $3 billion in stand-by bank credit. Conoco executives intended to buy back a large chunk of company stock from the shareholders, if necessary, to block a hostile takeover.

On June 24, the day before the Conoco–Cities Service merger was to be announced, the phone rang in Bailey's office. The caller: Du Pont's Jefferson. His question: "Is there any constructive role we can play?" Bailey thanked Jefferson for his concern about the Seagram bid, but replied that he was already negotiating with another company.

The Conoco–Cities Service deal, however, collapsed the very next day. Seagram suddenly proposed to buy about 41% of Conoco for $73 a share. Before the offer, Conoco shares were going for $62. Unable to match Seagram's bid to Conoco shareholders, Cities Service promptly dropped out of the competition.

Within 24 hours Bailey was on the phone to Jefferson. "Now you can help," said Bailey. The merger talks moved swiftly, in part because Bailey, 57, the burly son of an Indiana coal miner, and Jefferson, 59, a London-born intellectual with a Ph.D. in chemistry, knew each other well. They had worked together on joint gas-exploration ventures that Du Pont and Conoco had begun three years ago in Texas. Jefferson flew to Stamford four times in the next eight days. All along, he assured Bailey that Conoco's management would not be changed.

Suddenly, in the midst of discussions between Du Pont and Conoco, another competitor appeared. Texaco made an offer for Conoco that was roughly comparable to Du Pont's bid. But Bailey preferred to stick with Du Pont. He feared that even the Reagan Administration would balk at a merger between the two huge oil companies: a Texaco-Conoco combination would be larger than any U.S. energy firm except Exxon.

For Du Pont, the planned acquisition of Conoco is a daring departure. The 179-year-old firm, which started as a gunpowder business on the banks of Delaware's Brandywine Creek, now sells everything from synthetic fibers and insecticides to cookware coatings and auto paints. But for the company that invented nylon and Teflon, growth has come mainly from in-house research and innovation rather than conglomerate building. The addition of Conoco would more than double Du Pont's size, and some Wall Street analysts fear that the new colossus would lose some technological drive. Says John Henry of E.F. Hutton: "Du Pont can forget about its image as a specialized company diversifying into high technology. It will become just a big commodities giant."

Du Pont will have to borrow $3 billion to finance the purchase, which would more than double its debt load, and some observers think that Conoco might be too much to digest. Du Pont has a reputation for being a tightly run company that frequently shifts managers between product lines to give them broader experience. Asserts Thom Brown, an analyst with the investment firm of Butcher & Singer: "There's no easy way to integrate Conoco into the Du Pont operation."

Wall Street was also shocked because Jefferson had been chief executive of Du Pont for only two months, since the retirement as chairman of the highly respected Irving Shapiro. After the merger announcement, Jefferson admitted that he had been forced "to make a very quick assessment of whether it was worth throwing our hat into the ring." In fact, one of the first steps Jefferson took in assessing the merger was to call Shapiro for advice. Recalls Jefferson: "We thought about it and concluded that in a merger with Conoco we would be stronger than as Du Pont alone."

Du Pont's interest in Conoco is understandable. Petroleum is the raw material for some 80% of its products. Like all chemical makers, Du Pont has been badly hurt by the surge in oil prices since 1973. Now Du Pont will have its own private supply of crude. Last year Conoco produced 374,461 bbl. of oil per day worldwide, of which 36% came from U.S. wells. Moreover, Jefferson contends that Du Pont scientists will be able to help Conoco develop new techniques for boosting the yield from oil wells and converting coal into synthetic fuel. Conoco is the second largest U.S. producer of coal.

Du Pont's surprise foray shows that few companies or industries are immune to merger fever. As a result, the ranking of top U.S. firms has become almost as volatile as *Billboard* magazine's Hot 100 pop record chart. The strategies behind the mergers are as varied as the deals themselves. American Express, for example, grabbed the Shearson Loeb Rhoades brokerage house on its way to becoming a one-stop financial service center. To enhance its power on grocery shelves, Nabisco merged with Standard Brands.

The most popular targets of all, though, are companies rich in natural resources. Fast-rising mineral and energy prices have made their reserves in mines or oilfields ever more valuable. In April, Fluor Corp. paid $2.7 billion to acquire St. Joe Minerals. The Kennecott copper company fought off a takeover attempt by Curtiss-Wright Corp. this year, only to be swallowed by Standard Oil Co. of Ohio. The oil companies are both the hunters, because their coffers are overflowing with petroprofits, and the hunted, because of the value of their deposits still in the ground.

Moreover, inflation in construction costs has encouraged companies to buy existing factories rather than build them and acquire mines rather than dig their own. Concludes Tomislava Simic, an expert on merger patterns for Chicago's W.T. Grimm & Co.: "Companies don't want to take the risk of establishing new ventures. They want to acquire those

LET'S MAKE A DEAL

Acquisitions and mergers ($2 billion and more) announced, pending or completed in 1981, showing values in billions

Du Pont	Conoco	$7.3
Elf Aquitaine	Texasgulf	$4.3
Fluor Corp.	St. Joe Minerals	$2.7
Kraft	Dart Industries	$2.4
Freeport Minerals	Mc MoRan Oil and Gas	$2.3
Nabisco	Standard Brands	$2.0
Standard Oil (Ohio)	Kennecott	$2.0

Source: W.T. Grimm & Co.

with an already profitable track record."

The merger binge has been a bonanza for a special breed of Wall Street investment banker who negotiates the megabuck deals. Acquisition teams at First Boston Corp., which handled Du Pont's bid for Conoco, and Morgan Stanley, which advised the oil company, are expected to earn almost $15 million each from the merger.

Some economists fear, however, that what is good for the Wall Street merger makers is bad for the health of the economy. Says Walter Adams, professor of economics at Michigan State University: "Merger managers are playing short-term games that will not create a single new job, build a single new factory or add anything to U.S. technology. The economy is likely to be hurt by merger activity that is senseless and in fact creates Brobdingnagian corporate monsters with no need to compete or push hard."

Other experts, like Yale Law Professor Robert Bork, disagree strongly. Says Bork: "When I see business managers deciding to merge, and I can see that it doesn't eliminate competition, then the only thing it does do is increase business efficiency. Anything that increases business efficiency helps—at home and in foreign markets."

The Reagan Administration agrees with Bork. In fact, Bork's writings are required reading for incoming Justice Department antitrust attorneys. Argues Attorney General Smith: "Efficient firms should not be hobbled under the guise of antitrust enforcement." His antitrust chief, William Baxter, last week acknowledged that the Administration was creating "in many senses a more favorable atmosphere for mergers."

Since Baxter assumed his post in March, his trustbusters have filed only four new suits, compared with the 25 started during the same period in the Carter Administration. Baxter last week dropped two of the antitrust cases inherited from Carter: one against Mack Trucks and the other involving two firms in the brick-selling business. In light of the new attitude, Government approval of the Du Pont-Conoco match-up appears almost certain.

The limits of this big-is-beautiful philosophy may be severely tested in the coming months. No sooner had Du Pont and Conoco exchanged vows than Wall Street was abuzz with speculation about the next multibillion-dollar corporate link. The best bet is a union between Texaco and Cities Service.

And what about Edgar Bronfman? The Conoco disappointment was the second time this year Seagram had been left at the altar with its $3 billion dowry. Its earlier bid for St. Joe Minerals had been quickly topped by Fluor. Will Bronfman pursue yet another U.S. company? Stay tuned. —*By Charles Alexander. Reported by David Beckwith/Washington and Frederick Ungeheuer/New York*

An Early Takeoff at Pan Am

The board forces Seawell to leave the afflicted airline

When he took over from Najeeb Halaby as chairman and chief executive of Pan American World Airways almost a decade ago, William T. Seawell brought with him a sparkling résumé. A graduate of both the U.S. Military Academy and Harvard Law School, Seawell rose to Air Force brigadier general and was commandant of cadets at the Air Force Academy before switching to business in 1963. He then held top posts at American Airlines and the U.S. subsidiary of Rolls-Royce Ltd. But in 1980, after a promising few years during which he pushed Pan Am's airline operations into the black for the first time since the 1960s, Seawell ran head-on into trouble. Last week, with the airline losing about $1.3 million a day after a bleeding first-quarter loss of $114.5 million, Pan Am's board reached a "mutual consensus" that Seawell must go. He will retire by Jan. 1 at age 63, more than a year sooner than he had desired.

The retiring chairman in his office

A search for glory while problems grew

Seawell's successor was not named, although high on the list of possibilities will be William Waltrip, 43, a seasoned Pan Am executive who has been promoted to president. The post had been vacant since last November when Dan A. Colussy, 50, was ousted after a series of battles with Seawell. The job would have been filled sooner, but there were few eager takers. Said one Pan Am official: "The really good people didn't necessarily want it because the airline is in something of a mess." Seawell himself had interviewed A.L. Feldman, the president of Continental Airlines, and Edwin I. Colodny, the chairman of USAir, in an apparent attempt to pick his successor, only to be rebuffed at the time by both men.

Pan Am had a profit of $80.3 million in 1980, but only because it earned $294.4 million from the sale of its 59-story Manhattan office building atop Grand Central Terminal. Wall Street cynics wisecracked that it might have been better to sell the airline and keep the building.

The airline's decline has been relentless. It was hit with the problems that face the whole industry: soaring fuel costs caused by higher oil prices, sharply increased competition from subsidized foreign airlines and the start of deregulation of the U.S. airline industry. Saddled with older, fuel-guzzling airplanes, oppressive union wages and losses on most of its long-distance hauls because of the sluggish world economy, Pan Am's fortunes sank. Although the company's nonairline activities, including Intercontinental Hotels and management of airports in the Middle East, continue to make money, its airline operations are losing heavily. The company's debt as of March stood at $1.4 billion, and interest payments on loans last year were $132.6 million.

The immediate cause of Seawell's trouble was buying National Airlines, which Pan Am obtained in 1980 for $394 million. The deal climaxed a longtime company effort to gain domestic routes to feed and complement its international runs. But after 18 months, Pan Am still has not resolved labor questions between itself and National, let alone taken advantage of whatever moneymaking opportunities exist along what were National's routes. Sloppy ground and air service on Pan Am domestic flights have also tarnished its once shining reputation. Moreover, National's employees have not learned to think globally. Says one Pan Am insider: "When a National person was asked for a reservation to Melbourne, he assumed it was Melbourne, Fla."

Airline analysts concede that Seawell's troubles were largely due to the industry's general woes, but say that he compounded the unfavorable odds by poor judgment and an aloof management style. Said one Pan Am source: "He tried to run the company like a military operation." Seawell saw the path to glory in such risky ventures as rushing to make Pan Am the first U.S. airline to begin scheduled flights to Communist China. Says one industry source: "If you took a hard pencil to that route, you'd say, 'No way.' " In a first step back from that policy, Pan Am this week is expected to announce a drastic reduction in many of its unprofitable routes. ■

Union members protest high unemployment at last month's European summit in Luxembourg

Transatlantic Money Squabble

U.S. interest rates have Europe in a dither

Ronald Reagan will hear plenty of complaints about sky-high U.S. interest rates during his two days of economic summitry next week in Ottawa, where the heads of the world's seven leading non-Communist industrial powers will gather to confer on economic policy. Instead of declining, as Administration officials have been predicting, interest rates have continued to wobble uncertainly around 20%. Last week the cost of money again ratcheted upward slightly, pushing the benchmark prime interest rate that big commercial banks charge to 20.5%, or just a percentage point below the alltime peak reached last December.

A tight money policy and the resulting high U.S. interest rates are a key element in the Administration's fight against inflation. Though the nation's trading partners and allies have welcomed Washington's determination to slow the rise in prices, they have begun to complain about the tactic being employed. Foreign leaders do not like high American rates because they force other nations to push up their own interest rates accordingly, thereby slowing economic growth. Officials are particularly concerned about resulting rises in unemployment levels. Unlike the U.S., which has seldom had an unemployment level of less than 3%, many European nations have traditionally had jobless rates of about 1% or 2%. Thus the rise to current levels of 5% or more is not only economically jolting but socially disturbing as well.

Interest rates are already in solid double digits throughout most of Europe. In the past six months the key interest rate in West Germany has hovered around 14.5%, while in France it has jumped from 14% to 19.5%. The Europeans find themselves in a no-win squeeze. A decision to boost domestic rates to stay competitive against the dollar simply invites economic slowdown and even recession; a decision to do nothing just brings on inflation.

The two choices are hardly appealing. West Germany's 5.5% inflation rate and its unemployment of 4.8% are enviable by U.S. standards, but the outlook is not encouraging. West Germany's economy is now in recession and not likely to return to positive growth until the second half of 1982 at the earliest. In France, where the dollar has climbed to its highest point since the end of World War II, unemployment is now 7.2%, while inflation is 12.7%. In Britain, inflation is near 12%, more than 2.5 million workers, or 11.1% of the labor force, are unemployed, and the economy is in its worst slump since the 1930s. Such conditions were at least partly responsible for last week's rioting by unemployed youths in several British cities.

The Europeans complain that high U.S. interest rates are preventing other countries from engineering their own economic recoveries. French Foreign Minister Claude Cheysson speaks of U.S tactics that are "wounding" Europe's economies. West German officials complain that the rising value of the dollar, which has soared by a startling 40% in the past twelve months, to 2.44 deutsche marks to the dollar, has all alone pushed up the nation's oil import bill by 37%, since world oil prices are quoted in the U.S. currency. At a minimum, foreign officials are now hoping to press the U.S. in Ottawa for better exchange and interest rates coordination to prevent future money-market gyrations.

Europe's complaints are in stark contrast to two years ago, when foreign officials were attacking Washington for keeping interest rates too low and letting the value of the dollar fall. At that time they were protesting that the cheap dollar made American exports too inexpensive and took away their business.

Attempts to make the U.S. the scapegoat for Europe's economic troubles are not accepted by all. West German Chancellor Helmut Schmidt has repeatedly condemned U.S. monetarism for forcing up West German interest rates and stifling growth. But a special report issued last week by that country's prestigious panel of independent economic advisers blames West Germany's economic woes on the government itself. The group argued in effect that high West German interest rates are necessary not to offset rates in the U.S. but to counteract a widening West German trade deficit and heavy government spending.

In addition to complaining about high interest rates, both Bonn and Paris have also been charging lately that the U.S. is not doing enough to cut Government expenditures. In fact, the Reagan Administration is doing far more to cut Government spending than either the French or the West German government is doing to pare its own budget. Even as he lashed out last week at "intolerable" U.S. interest-rate levels, Prime Minister Pierre Mauroy unfurled a new French economic program that features, among other things, a plan to create 210,000 civil service jobs.

Meanwhile, West Germany's Schmidt is finding it next to impossible to reduce his country's public spending. The politically centrist Free Democrat Party, which is a partner in the Bonn coalition, is calling for sharp social service spending cuts in next year's national budget, but the left wing of Schmidt's Social Democratic Party is resisting virtually all cuts.

Sizing up the confused criticisms from abroad, Reagan Administration officials in Ottawa next week will aggressively champion their strategy for fighting inflation. Says Beryl Sprinkel, the Administration's bluntly outspoken Under Secretary of the Treasury for Monetary Affairs: "The high interest rates in Europe and the strength of the dollar reflect the belief in the international money market that we're getting our inflation under control, and they're not. The Europeans do not seem to like our policies when the dollar is weak, and they do not seem to like them when the dollar is strong."

If American interest rates now begin to ease off, as some economic forecasters predict, the overseas complaints will have been much ado about little. But if the cost of money stays high in the U.S., Western European leaders are simply going to have to live with a strong dollar and high rates. *—By Christopher Byron. Reported by Jordan Bonfante/Paris and Roland Flamini/Bonn, with other bureaus*

Prices Plunge

Tarnishing collectibles

▸ Investors in 1979 paid about $7,500 for a set of three 1930 U.S. Zeppelin stamps at auction—a big increase over the 1961 price of $175. But this year at a California auction, the stamps' sale price fell 27%, to $5,500.

▸ A top-quality, one-carat round diamond had increased in price in less than a decade by nearly 940%, to $62,000. But today the rock goes for a mere $44,000.

▸ Orient Handel, a store in San Francisco, accumulated a stock of Persian rugs worth $1.2 million to meet strong customer demand. But many of the rugs remain unsold. Says Manager Albert Neherayoff: "Three years ago we used to sell a minimum of $40,000 in rugs each month. That's gone down to $20,000 or $15,000 —or even less. I'm praying that business picks up."

The rush to beat inflation by buying such tangible goods as fine art, jewelry and even old art nouveau advertising posters, which picked up steam about two years ago when inflation began roaring ever higher, now appears to be slowing. Last week the large New York auction houses released figures for the 1980-81 sales season, which ends in August, showing a leveling off of once spectacular growth. Christie's reported sales of $130 million, a rise of 15% as compared with 242% last year. At rival Sotheby Parke Bernet, sales were up 20%, to $300 million, less than one-third last year's rate of 66%. "The market is much more selective now," explains Elizabeth Shaw, vice president of Christie's. "People are not just buying because they have nothing else to do with their money. They are more careful this season." Adds Robert C. Woolley, senior vice president of Sotheby's: "The person who is interested in buying an English commode, for example, will postpone that purchase for six months so he can cash in on the high rate in six-month savings certificates."

Robert S. Salomon Jr., stock-research chief for Wall Street's Salomon Bros., who keeps tabs on the market value of collectibles and other commodities, reports that for the first time in five years, diamonds and Oriental carpets failed to increase in value during the twelve months ending June 1. At the same time, U.S. coins actually lost 8% of their value. One of the best investments during that period was prosaic common stocks, which increased in value by 25.3%. That was faster than rare books and U.S. stamps (both rose by 18%) or paintings by old masters (up 23%). Only Chinese ceramics, which increased in value by 36.5%, proved to be better investments than stocks. Jim Powell, the editor of a newsletter called *Collectibles Market Report*, says that the boomlets in photographs by Ansel Adams and 1920s posters have petered out this year.

High interest rates are the main cause of the slowdown in price rises for collectibles, but there are also several other special factors. Says Robert Woolley: "There are many nuances in the market. Russian enamel is soft because a major American buyer is out of the market. Nineteenth century Dutch painting is off because of the prospects of a Socialist-dominated government in Holland, which has depressed demand from Dutch citizens."

The collectibles market is now likely to be very unpredictable for investors. As expected, Sotheby's sale last spring of one of Pablo Picasso's self-portraits went for $5.3 million, the highest sum ever paid at auction for one of his paintings. But during that same week, Christie's received only half of the $20 million expected from one of its auctions. Among the unsold works: a still life by Picasso reportedly done in 1912. ■

A Chicago dealer displays some of his classic advertising signs and other bits of Americana

Stocks are now becoming better investments than rare books, stamps and old masters.

Tough Traders

Japan's exports keep booming

Industrialized nations have complained loudly about the damaging effects of the deluge of Japanese exports, but the carping so far has not done much good. Indeed, last week private research institutes in Tokyo predicted that after two years of deficits, Japan will have a substantial surplus in foreign trade and services by the end of the fiscal year.

Though the country has flooded the world with everything from Toyotas to tummy tubes, Japanese dependence on foreign oil has pushed its balance of trade into the red. Japan must import 99.8% of its oil. Yet despite a $54 billion oil bill, last year's $7 billion current-account deficit could this year be a surplus of as high as $6.5 billion.

One reason for the stunning turnaround has been the booming demand for Japanese products. During the first three months of this year, Japan's exports of machinery jumped 43%, automobiles 41.5%, and home appliances were up 38.5%. Videotape recorders, which are not yet manufactured anywhere else, were up in sales 118% in the first four months. The jump in exports apparently results from an increased demand for the products, not from any major efforts to boost foreign sales.

Japan's trade success is also partially a result of the easing in world oil prices. The country is now paying less for oil than it previously expected. More important, concentrated efforts at conserving energy will reduce consumption by an estimated 2.7% this year over last, according to one private forecast.

Even though Japan will cut auto exports to the U.S. by 7.7%, the trade gap between the two countries continues to mount alarmingly. The Department of Commerce estimates that the U.S. deficit in trade with Japan could reach a record $14 billion by the end of the year, an increase of 40% over 1980.

Some American officials say that this deficit is partially caused by restrictive import barriers that make it hard to sell products other than wheat, rice, aluminum and other natural resources. Japanese officials, however, maintain that they no longer discourage foreign companies. They say that U.S. firms have not been selling aggressively in their market.

Not surprisingly, protests against Japan's trade practices are again growing. Senate Republican John Danforth of Missouri has sent U.S. Trade Representative William Brock a letter warning that the auto issue was not an "isolated crisis." Danforth's letter, which was cosigned by eleven other members of the Senate Finance Committee, hinted that Congress might again consider putting import quotas on leading Japanese exports. ■

Something To Think About.

Al Giddings/Ocean Films Ltd

On a bright September day in the Pacific off Maui, Hawaii, Dr. Sylvia Earle prepared to walk the open ocean floor at a record depth.

As a marine biologist, Dr. Earle was fully aware of the risks involved. As a mother of three, she did not take them lightly. She knew that the pressure at that depth was over 30 times greater than normal. If her specially designed diving suit had cracked or developed a leak, Sylvia would have been crushed instantly.

But when her toe finally touched bottom at 1,250 feet, we all stood to gain. Sylvia had accomplished her goal. She also aided the advancement of science, which will benefit us all.

Dr. Sylvia Earle illustrates our belief that America gains most when individuals have great freedom to pursue personal goals without undue government interference. And although few of us would care to try what Sylvia did, we nonetheless expect to pursue our own goals with equal freedom.

Yet, there are times when neither you nor we can expect such freedom in our daily lives. Not when someone decides the government should protect us from it.

Something to think about from the people at Getty.

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Alternate Attic

Easing the space squeeze

As prices in the U.S.'s inflated housing market have climbed higher and higher, some builders have struggled to hold down costs by constructing homes and apartments that are smaller and smaller. Closets are shrinking, attics are disappearing, basements are becoming ground-level concrete slabs. The result for more and more families is one of the oddest new shortages of all: storage space.

Now the homeowner's headache is becoming the entrepreneur's opportunity. While the housing market remains flattened by mortgage rates that are approaching 17% in many parts of the country, business is booming for a hybrid real estate product known as the miniwarehouse, usually a one-story building of garage-like cubicles rented as neighborhood storage space to individuals, families and small businesses. Renters supply their own locks and can generally visit their cubicles as often as they like.

In the past ten years or so, the fledgling industry has jumped from a mere handful of warehouses to more than 3,500 buildings, many of them in the fast growing Sunbelt. Though 85% of all miniwarehouses are still little more than mom-and-pop operations, often owned and managed by retired couples seeking to supplement their pension income, big money is now moving in.

Dean Witter Reynolds, a leading Wall Street brokerage house, has already raised more than $165 million from investors for Public Storage Inc. of Pasadena, Calif., the nation's largest miniwarehouse chain. Public Storage operates 165 separate warehouses, located mostly in the Sunbelt. Shearson Loeb Rhoades is helping to finance the growth of rival Colonial Storage Group of Odessa, Texas, which was founded in 1969 and now has 81 facilities in operation. Meanwhile, Merrill Lynch has also entered the field, with a $15 million miniwarehouse investment program for pension funds.

Helping to put a load of furniture into temporary storage in an Orlando, Fla., miniwarehouse

One tenant wanted to stash the goods from her home before divorcing her husband

In some parts of the country, building a miniwarehouse is only about half as expensive as constructing an apartment building, which can cost $40 or more per sq. ft. to put up. But demand for storage space is so strong that rates per sq. ft. often very nearly match the yearly rents that apartments themselves command.

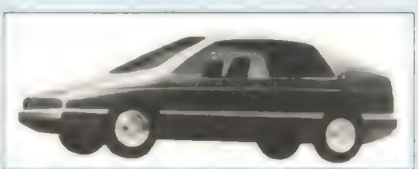
Renters sometimes put their units to inventive uses. A New Mexico manager discovered a user who regularly drove his girlfriend and his Cadillac into his roomy cubicle. The manager had to inform him that love in the warehouse was not allowed. In Altamonte Springs, Fla., police arrested a tenant who was using a miniwarehouse cubicle to grow 364 potted marijuana plants under fluorescent lighting. Perhaps the sneakiest case of all was a Los Angeles woman who made daily trips to her cubicle with new pieces of furniture. When asked by the manager what her purpose was, she explained that she was planning to divorce her husband and wanted to have as much household furniture as possible hidden away in advance.

Far more typical are everyday tenants who rent space to help ease a temporary storage squeeze in their lives: shopkeepers with a bit too much unsold inventory on hand, salesmen with bulging, bulky files, families relocating into or out of the area and waiting for their new home or apartment to become vacant. One particularly grateful renter is former Homeowner Mae Rose Owens of Winter Park, Fla. She was able to save her household possessions by hastily storing them in a local miniwarehouse after a giant sinkhole began to swallow up her house and a big chunk of the neighborhood. ■

The *Wunderwagen*

All world automakers are now scrambling to grab a niche in the market for efficient, very high mileage compacts and subcompacts for the mid- to late 1980s, but Volkswagenwerk of Wolfsburg, West Germany, is quickly pulling ahead. Having largely phased out its venerable Beetle profile of the 1950s and 1960s for the engineering improvements and angular lines of the bestselling Rabbit in the 1970s, the company is now at work on the aerodynamically sleek silhouette of a new subcompact four-seater design that looks more like a Gucci slipper than a car.

Targeted for production some time between 1986 and 1990, the People's Car of tomorrow will combine a revolutionary diesel engine with other fuel-saving technologies that designers hope will get 75 or more m.p.g. in combined city and highway driving. A test model will be unveiled at the Frankfurt Auto Show in September. At present, U.S. law requires automakers to have a fleet average fuel economy of only 22 m.p.g., which will rise to 27.5 m.p.g. by 1985. The VW Rabbit diesel, with 42 m.p.g. city and 56 m.p.g. highway, is the most fuel-efficient car in production now available in the U.S. Several foreign manufacturers produce cars with even better mileage, but these are not for sale in the U.S.



Scale model of the Grandson-of-Beetle

One reason Volkswagen is first in the high-mileage sweepstakes has been its participation in the West German government's Vehicle of the Future research project. Begun in 1978 with the participation of VW, Audi, Daimler-Benz, Porsche and BMW, the program has brought engineering advances in everything from engine design to the use of lightweight plastic in bodies, frames and even in axles. VW has received $7.5 million in government funds and spent another $7.5 million of its own money on the studies. Though Ford and General Motors are independently working on high-mileage cars for the early 1990s, Volkswagen has for now stolen the lead.

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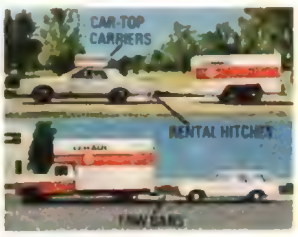

*EXCEPT WHERE DISTRIBUTION FEES APPLY

In 1915, Shirley Myers aimed to show how independent she was by smoking at the county fair.

Her husband aimed to stop her.

You've come a long way, baby.

Fashions: Mollie Robert

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How to Pick a Private School

Matching parents, pupils and pedagogues—for a fee

Paul Kingsolver, 15, was falling behind his tenth-grade class at Denver's Mullen High School, an expensive ($1,650 a year) Roman Catholic boys' school. His worried parents took him to Educational Counselor Elizabeth Carroll, a reading and speech specialist at an agency called the Academic Resources Center. "We found out," says Paul's father, "that he had missed a lot of the basics in grade school." Carroll recommended that he switch temporarily to Denver's Academic Prep School, which specializes in remedial work. "Now Paul likes school," says his father. "There's been a real change in his personality. I give the credit to Mrs. Carroll's help in changing schools."

School Finder Harriett Bay in Beverly Hills

Getting pupils into races they can win.

Similar testimonials fill the files of a growing band of ex-pedagogues, school admissions officers, psychologists and social workers who call themselves educational counselors. For a fee that ranges between $250 and $600 a pupil, finders act as matchmakers, trying to bring together pupils and private schools that seem right for each other. "I'm like the handicapper at a race track," cracks Boston Counselor Robert Parsons. "I'm trying to get kids into a race they can win."

The finders visit dozens of private schools a year. Boarding schools specializing in laggard students are much in demand. Says Beverly Hills Counselor Harriett Bay: "Rarely does a parent come in with a terrific little kid seeking a terrific school. Most come in a moment of crisis." Counselors also see many pupils whose parents are considering private school for the first time, often because of dissatisfaction with public school. In the past decade the student-age population has diminished, bringing with it an 11% decline in public school enrollment. But at the same time the number of students in the 880 schools that belong to the National Association of Independent Schools has increased by 23%—to roughly 300,000.

To learn about the pupils, counselors interview them apart from parents. They often give achievement and psychological tests as well. After several visits, counselors suggest four or five schools that might be helpful. A small, not-too-competitive school for a middling athlete, for example. And for that bane of parents and teachers alike, the high-IQ underachiever, a school with strong discipline and a challenging academic program. The counselors often telephone a school, describe the student and ask whether he or she sounds desirable enough to justify formal application. "We try to be a strainer," says Parsons, adding: "Year after year, schools have to see and interview dozens of youngsters trooping through their campuses, who will never get in. We can alleviate a lot of heartache. Parents, instead of traveling to a dozen schools, ten of which are not what they need, now deal with a reputable finder."

Some parents hope that the finders will use their connections to win a favorable decision from admissions officers. Both schools and finders say this is not done. Besides, says Atlanta Counselor Jean Hague, a former administrator at the American School of Paris, "we don't have the power to influence the schools." Explains George Conway, admissions director at the prestigious Woodberry Forest School near Orange, Va.: "I've never had a counselor push anybody on me. A misrepresented youngster probably would not do well here, and that wouldn't help the counselor's reputation." Some admissions officers say they do give weight to a recommendation from a counselor they know well and whose judgment has proved accurate in the past.

To ensure impartiality, members of the Independent Educational Counselors Association, a finders' professional organization formed in 1976, pledge to refuse any fees or payment from schools they recommend. It was not always so: in the 1930s, when private schools were less crowded than they are today, payments of 10% of tuition to finders were standard.

Top finders can gross up to $100,000 a year, and the number of finders in the I.E.C.A. has increased from 15 in 1976 to about 60 this year. Not everyone is happy with their work, however. One Chicago headmaster contemptuously refers to counselors as charlatans who play on the anxiety of parents. Julia Whitcombe, a Los Angeles mother of two, took her daughter to a counselor. Says she: "He did his testing, took the money and came up with nothing." At Lake Forest Academy in Illinois, Admissions Coordinator Jacqueline Leinbach suggests that parents can save the fee by going to the library, consulting directories of private schools and making their own matches.

For parents who hope to get their children into a traditional prep school like Lake Forest, that may be good advice. But in the past decade private schools have grown bewilderingly diverse. The 1980 Porter Sargent *Handbook of Private Schools* lists 1,800. Counselors provide a helping hand through the pedagogical thicket, especially to the increasing number of parents who are uneasily exploring for the first time the once snobbish world of prep schools.

Boston's Robert Parsons and student

Not just for the rich any more.

Private schools are no longer the province of the rich. More divorces, the emergence of the middle-class one-parent household and the increase in two-income families have helped create a whole new crop of parents ready to make almost any sacrifice (boarding schools cost between $5,000 and $8,000 a year) to give their children a chance at what appears to be an inflation-proof possession, a good education. *—By Kenneth M. Pierce. Reported by Joseph Pilcher/Los Angeles and Marc Levinson/Atlanta, with other U.S. bureaus*

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Theater

Isle of Blight

THE TEMPEST
by William Shakespeare

This production by the New York Shakespeare Festival at the Delacorte Theater in Central Park is silly, vulgar and achingly dull. It is a shameless assault on Shakespeare, couched in the parched emotional idiom of the cool urban disco jitters. If the playgoers had to pay anything for their seats, they would probably storm the box office demanding refunds from Producer Joseph Papp

Raul Julia

The first scene reveals Prospero (Raul Julia) twirling the propeller of a toy helicopter. By seeming design, a real helicopter circled the theater at the opening. The pilot soon flew away, leaving the toy plane, and the play, to crash. The idea apparently was to contrast the airborne with the earthbound in human nature. Here, as in the other main metaphors of the drama, like the playoff of illusion and reality, the power of art and the art of power, this *Tempest* is hopelessly at sea

Prospero is a sage and a master of magic. Julia makes him a little bit of a world-weary sideshow carny barker What with the actor's Hispanic inflections, the babel of voices around him and a hot samba, Prospero sometimes seems to be presiding over a banana republic. Caliban (Barry Miller) is depicted as if he were a punk-rock psycho, which scarcely suggests the "power of darkness." In an access of idiosyncratic inspiration, Director Lee Breuer provides the play not with one Ariel but eleven, ranging in age and sex from adults to tiny tots barely out of diapers. It is eerily disconcerting that the chief aery sprite (Iwatora) is garbed as a sumo wrestler with matching gestures and grunts. The enamored young couple, Ferdinand (David Marshall Grant) and Miranda (Jessica Nelson), who should breathe the spirit of nascent romance into the play, are equally dismaying. He seems like a rough and randy high school jock and she like a simp of a gum-chewing prom queen

While a very roughhewn justice is dealt the plot, Trinculo, the jester, has become a blowsy demimondaine (Lola Pashalinski), and her companion, the drunken butler Stephano (Louis Zorich), looks like a disheveled French chef with a torn *toque blanche*. The pair do a crude parody of Mae West and W.C. Fields that would have turned Shakespeare's stomach, as what, in this travesty, wouldn't?

—By T.E. Kalem

Some want to keep our land unspoiled. Some want to explore it. We want to explore without spoiling.

There's a strange either-or proposition building up in this country.

It's one that says either we completely preserve our public lands by turning them into permanent wilderness, or we tear them up and exploit them to the fullest for their natural resources.

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The desire for land that stands pure and pristine is certainly understandable. But, surely, in these times of scarcity, our need for energy and mineral resources is just as pressing. We know for a fact that exploration can easily be conducted in an environmentally sound manner.

Doesn't it then make sense that we invest in exploring and evaluating our public lands before classifying them as wilderness, and locking them up forever?

At least then we could make sure we're doing the right thing.

To continue in the direction we're presently going could well be one of the most self-defeating steps our country has taken in this century.

Or so it seems to us at Atlantic Richfield.

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Sexes

Feminist Folk and Fairy Tales

A collection that turns the fables—and fits the movement

The story of Cinderella, which appeared in 9th century China, has been buffeted for ages by friend and foe alike. It was stripped of its violence in the 17th century, criticized in the 18th as unfair to stepmothers and sentimentalized by Disney in the 20th. Now Cinderella, and most of the major fairy tales, have attracted a set of critics who deride them as sexist.

Feminists argue that the clever and strong women in folk and fairy tales are almost always hags, witches or deranged stepmothers. The heroines, says Author Ethel Johnston Phelps, "are good, obedient, meek, submissive to authority and naturally inferior to the heroes."

Phelps, a writer in Rockville Centre, N.Y., spent three years sifting through thousands of fairy and folk tales looking for brave and clever heroines. She found enough for two books: *Tatterhood and Other Tales* (The Feminist Press; 1978) and her just published *The Maid of the North* (Holt, Rinehart & Winston). Here the fables are turned: women rescue men, outwit demons and fight like Cossacks. Tatterhood, named for her ragged, mud-stained clothes, batters a gang of wicked trolls and recaptures the severed head of her sister. An old Japanese woman, paddling along a stream, thinks quickly when pursuing monsters suck up all the water: she tosses them some fish and the monsters have to release the stream water to eat them. Another heroine, a woodcutter's daughter, claims her prince by washing out three unremovable stains—a theme that could strike some feminists as too close to detergent commercials.

Phelps is careful to avoid the word beautiful because she considers it sexist. In *Tatterhood*, Phelps writes that "we shall never know" whether the heroine was lovely or plain, because it does not matter. Phelps also adds a brush stroke here and there to make the females more active. In "The Twelve Huntsmen," she has the prince collapse at the key moment, not the girl. The Maid of the North, in the original version, fends off a suitor by talking up the disadvantages of leaving home to join a stranger's household. Phelps' updated dialogue offers a feminist case against marriage: "A wife is like a house dog tied with a rope. Why should I be a servant and wait upon a husband?"

Though Phelps celebrates females who have brains and energy, her feminist lens at times distorts the drama beneath the surface of folk tales. As Psychologist Bruno Bettelheim made clear in *The Uses of Enchantment*, most protagonists in fairy tales are passive because the children who listen to them feel at the mercy of events and want to be reassured. Beauty or handsomeness is a routine signal to the child of moral worth. Marrying and living happily ever after tells children that they are worthy of love and can find it when the time comes.

Typically, Phelps flattens out the story of Scheherazade by leaving in the logic and removing the magic: Why should the heroine fall in love with the murderous king or beg for her life? Writes the author: "Many readers may well be disappointed with these meek and improbable endings." Bettelheim pays more attention to the hidden message of the tale: Scheherazade and the king represent warring forces within the psyche: depressed and destructive *vs.* good and reasonable. The peace between Scheherazade and the king says that the child can be whole one day.

The real business of fairy tales is not propaganda. It is to help the young deal with anger, sibling rivalry, fear of separation and death and the eerie omnipotence of the adult world. "The fairy tale," adds Bettelheim, "offers solutions in ways that the child can grasp on his level of understanding." For girls and boys, those solutions do not invariably come through identification with the strong, but often with the bewildered, prefeminist likes of Cinderella and Snow White. ■

Milestones

BORN. To **Lynn Redgrave,** 38, versatile British-born actress of screen (*Georgy Girl*), stage (*My Fat Friend*) and TV (*House Calls*), and **John Clark,** 48, her manager and a film, stage and TV director; their third child, second daughter; in Los Angeles. Name: Annabell Lucy. Weight: 9 lbs. 2 oz.

DIED. Yevgeni Kharitonov, 40, Russian poet and playwright; of a heart attack; in Moscow. Last year, with six other Soviet writers, Kharitonov sought to form a literary club and publish an experimental journal; the KGB seized their unpublished manuscripts. Kharitonov once wrote ironically that writers need restrictions because "violating them provides the nerve of our art."

DIED. Meyer Levin, 75, prolific author and Zionist; of a stroke; in Jerusalem. Originally a Chicago newspaperman, Levin wrote novels, plays, documentary-film scripts and books of Jewish lore. His biggest success was *Compulsion*, a 1956 novel based on the sensational Leopold-Loeb murder case he later turned into a hit play and movie.

DIED. Emile Zola Berman, 78, New York trial lawyer and attorney for countless underdog clients and unpopular causes, who was best known for helping to defend Sirhan Sirhan, the killer of Senator Robert F. Kennedy; in New York City. Berman first came to national attention in 1956, when he defended a Marine sergeant who was court-martialed for the drowning of six young recruits during a disciplinary march through a tidal creek at Parris Island, S.C. While representing Sirhan, who was convicted of first-degree murder in 1969, Berman explained: "I'm not defending his crime, only his rights."

DIED. Manuel Urrutia Lleo, 79, Cuban judge who in January 1959 became the first provisional President of Fidel Castro's revolutionary government, only to be denounced as a traitor by Castro six months later and forced to resign; in New York City. Urrutia, who charged that Castro had transformed Cuba into a "Red hell," spent four years under house arrest and in asylum at the Venezuelan and Mexican embassies in Havana before gaining safe-conduct to the U.S., where he led a coalition of 22 anti-Castro exile groups.

DIED. Walter Langer, 82, Boston-born psychoanalyst whose Freudian study of Adolf Hitler for the Office of Strategic Services in 1943 was used by Allied leaders as a guide to strategy during the remainder of World War II and was published 29 years later under the title *The Mind of Adolf Hitler*; in Sarasota, Fla. Langer, who interviewed former friends and associates of the Nazi dictator, characterized him as "probably a neurotic psychopath bordering on schizophrenia" and predicted his suicide.

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OLYMPUS

Mozart plays for his father and sister; Slatkin at the harpsichord in Washington

Mozart Debuts at the White House

After 200 years, a lost symphony is performed

The crowd sweltering under a tent on the South Lawn of the White House last week had gathered at a great occasion. On a platform were Conductor Leonard Slatkin and, instruments at the ready, New York's Mostly Mozart Festival Orchestra. In the audience: the President of the United States. But the real guest of honor was the shade of Wolfgang Amadeus Mozart, whose long-lost *Symphony in F, K. 19a*, was having its American premiere more than two centuries after it was written and several months after it mysteriously surfaced in West Germany. The composer was all of nine when he wrote it.

Even Mozart was not about to write a symphony that plumbed great emotional depths in 1765; both the composer and the form itself were practically in their infancy, and the galant spirit of the times did not call for such a thing. And with Mozart's earliest works there is always some question as to what extent, if any, his father Leopold (who copied the music) helped him with the finer points of structure and harmony

At its White House performance and at a concert in the Kennedy Center a few hours later, the symphony—probably its composer's third—proved to be genuinely Mozartean. A dashing allegro assai with a surprisingly sophisticated development (perhaps Leopold had a hand in here) is followed by an Italianate andante that ambles along amiably, the gracious, formal melody accompanied by a distinctive stutter-step in the violas. The presto finale is a sprightly jig

For 200 years, all that was known of the work was the first 15 measures of the first-violin part, which Leopold had jotted down on the cover of another youthful Mozart symphony. Last year a complete set of parts in Leopold's handwriting was discovered among private papers in Bavaria and sold anonymously for an undisclosed sum to the Bavarian State Library, where the work was authenticated by Robert Münster, chief of the music collection. Says Münster: "When I recognized the handwriting of Leopold Mozart, I couldn't believe my eyes."

The excitement and ceremony surrounding the symphony are one more example of the Mozart boom; not since Mahler became a cult figure in the 1960s has a composer been as popular. On Broadway, Peter Shaffer's hit play *Amadeus* recently won five Tony Awards. Mozart last year led all composers in the number of new listings in the Schwann record catalogue, and record companies are assiduously exploring the nooks and crannies of the composer's output in search of further repertory—the oratorio *La Betulia Liberata*, for example, or the opera *Mitridate, Rè di Ponto*, both written when Mozart was an adolescent. In addition, music of the classical period has become the frontier of performance scholarship; original-instrument versions of Mozart are now appearing, led by the Academy of Ancient Music's formidable project of recording all the Mozart symphonies in the way they might have been performed in his day

There is a danger, of course, that in this burst of enthusiasm Mozart will—or perhaps already has—become overexposed, merchandised like a bar of soap or a political candidate. But while a vogue is transient, music is not, and Mozart's is for the ages. Even music he wrote when he was nine

—By Michael Walsh

Lenin's Rockers

Moscow sings "Hallelujah"

The roar throbbing through the rafters of Moscow's Lenin Komsomol Theater was loud enough to rouse the Soviet Union's founding father in his Kremlin mausoleum. After two decades of sparring with the Soviet authorities, hard rock had triumphantly taken the Lenin stage. The occasion was the premiere of the country's first rock opera, *Juno and Avos*, by Alexei Rybnikov, a popular composer of movie scores. In addition to guitars, violins, cellos, drum and a chorus of 16, Rybnikov called for electronic instruments—including a Multimoog synthesizer and a Roland paraphonic—rarely used before in the U.S.S.R. The opera was a bold blend of hard-rock rhythms, shimmering folk melodies and traditional Russian Orthodox Church chants.

The plot of the opera was as surprising as the score. In this era of deepening freeze in Soviet-U.S. relations, it is based on the true story of a Russian-American romance. Andrei Voznesensky, the Soviet Union's famed avant garde poet, thought of the idea for the production when he read about the historic love affair during a trip to California. Collaborating with Director Mark Zakharov, Voznesensky wrote the libretto in verse.

According to the poet's text, Russian Nobleman Nikolai Rezanov sailed into San Francisco harbor in 1806 intending to trade with California's Spanish colonizers. Instead he fell in love with Concha, the daughter of the commandant of San Francisco. As Rezanov's ships *Juno* and *Avos* waited, he set out

Nikolai Karachentsev belts out a love song

An erotic seduction by Soviet standards.

to woo the 16-year-old beauty. For his seduction scene, Bolshoi Ballet Choreographer Vladimir Vasiliev designed a pas de deux that was conspicuously erotic by stuffy Soviet standards. Yelena Shanina (Concha), a Goldie Hawn lookalike, and Nikolai Karachentsev (Rezanov), a dark, dour figure, embraced on the brightly lit, transparent Plexiglas stage. When the nightgown-clad Concha wrapped her legs around Rezanov, he fell avidly upon her. The house lights darkened as the moan of the electronic strings reached a crescendo.

Such sexual motifs were contrasted both visually and musically with emblems of faith. A bishop in sumptuous vestments made an appearance. Dancers knelt as a figure representing Our Lady of Kazan, the Madonna pictured on one of Russia's holiest icons, glided mysteriously onstage carrying the Christ Child. The rockers' driving, heavy beat subsided. The roar of the synthesizers, the wailings of the guitars and the tom-tom tripping of the drummer were hushed as the chorus picked up a folk tune that sweetly blended, with no perceptible transition, into an Orthodox hymn.

The first act made clear that the show would be Moscow's biggest smash in years, enjoying an open-ended run as part of the Lenin Komsomol's permanent repertory. On opening night the 810-seat theater was jammed. The elite audience, which had received free tickets, cheered lustily, giving Rybnikov and Voznesensky standing ovations.

At intermission, actors, dancers and musicians sought out the opinion of Rodion Shchedrin, the U.S.S.R.'s best-known composer of modern music. He declared that he had tried to talk his friend Voznesensky out of getting involved with something as vulgar as a rock opera. Shchedrin, who is chairman of the powerful Russian Composers Union, then explained he had listened to a tape of the music. His verdict: "I fell in love with it." Soviet cultural bureaucrats were not as enthusiastic. They excised musical numbers that they regarded as too religious before giving permission for last week's performance.

Predictably, the second act brought tragedy to the cross-cultural affair. When Concha's parents refused to allow the match on religious grounds, Rezanov returned to Russia, vowing: "I shall wring consent from my Tsar, the Pope, your father!" But on the homeward trek across Siberia, the nobleman died on the icy steppes, causing his disconsolate Concha to become "San Francisco's first nun." The heavy allegory was there for all to brood upon. As Rezanov succumbed onstage, a narrator said: "He tried to unite Russia and America; the adventure was not successful." With a nod to the prostrate body, he added: "Thanks for trying." An all-cast finale, combining rock and religious themes, summed up with a jubilant *Hallelujah Love!* —*By Patricia Blake. Reported by Bruce W. Nelan/Moscow*

Dance

And Now, the Netherlanders

In this troupe, the choreographer is the star

Soldiers dropping one by one to the ground, doubled over in the agony of death. Men lifting a feather-light ballerina and unexpectedly groaning under the strain. A trio dancing to a mournful Sardinian folk song in the eerie darkness of an eclipsed moon. These are some of the images—tragic, comic, passionate—from the rich choreographic imagination of Jiri Kylian, a poet of many moods who works with movement instead of words.

In his three years as director, the Czech-born Kylian, 34, has made the Netherlands Dance Theater one of the most inventive and physically exciting companies around. At the Metropolitan Opera House last week, the multinational troupe (nearly half the 32 dancers are American) offered six Kylian works that enthralled the New York City dance audience, the world's toughest.

Netherlands Dance Theater's Jiri Kylian

Comedy and despair from a master

Kylian immediately sets a specific tone and atmosphere. His work is often frankly emotional, whether it is the bleak despair of *Soldiers' Mass*, the pathos of *Overgrown Path*, the slapstick comedy of *Symphony in D* or the heroic striving of *Sinfonietta*, the company's signature piece.

The choreography is a harmonious combination of motion and music, which complement each other rather than existing in an uneasy alliance. Says Kylian, who studied both music and dance at the Prague Conservatory: "The minute I have total trust in the music, I go out of my way to find out why the composer has written what he has, and try to make my choreography equivalent to the music." This does not mean merely illustrating it. In *Dream Dances*, set to eleven folk song adaptations by Italian Composer Luciano Berio, the dancers move explicitly to the rhythm of *I Wonder As I Wander*. But later, in *Motettu de Tristura*, the slow, sad music is a counterpoint to a dance of restless erotic energy.

Much of Kylian's inspiration comes from his roots. Three of the works danced in New York (the company goes on to Boston and the Wolf Trap festival, outside Washington, D.C.) are set to music of Czech Composers Leoš Janáček and Bohuslav Martinu. "I am very proud of my background and would never want to deny it, although I would never push Czech composers just because they are Czech," says Kylian, who is still a Czech citizen. He is delighted at the prospect that his company will perform in Prague, his home town, next year.

Symphony of Psalms—danced to Stravinsky's score of the same name against a huge backdrop of Persian rugs—was inspired by a boyhood memory. "There was a Russian Orthodox church in Prague that was always closed," recalls Kylian, "but we could peek through a hole in the door and see that it was full of red rugs and religious flags." That image stayed with him when he was working on the piece, immersing himself in Stravinsky, who was deeply influenced by Russian Orthodoxy at the time he wrote the music.

The Netherlands has no stars, although each member has at least one solo in the repertoire. Inevitably, some do stand out, like Marly Knoben, a little redheaded bundle of energy. At this point in his development, Kylian is more comfortable working either with large groups (*Soldiers' Mass, Symphony of Psalms* and *Sinfonietta*) or in short vignettes (*Dream Dances, Overgrown Path*). He has difficulty sustaining a true pas de deux or developing a long line.

The company is very much an ensemble, but one with a distinctive profile. Kylian does not like the occasional criticism that his troupe is anonymous. Says he: "I don't like to hear that we are faceless. The dancers have very strong personalities that come through, but they take their personality and give it as a gift to the company. I find that very moving. We have built something together and we are proud of it. That sounds like the worst cliché of all time, I know. But it is simply true." —*By Michael Walsh*

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Cinema

The Great Era Of Walt Disney

A retrospective shows the magic of master animation

A sketch of the fawn for *Bambi* (1942)

The mature Mickey and Minnie in *Nifty Nineties* (1941); an early draft by Iwerks (1928)

"*When distorting the body retain the normal volumn* [sic] *in all parts.*" "*Ears elongate in violent action.*" "*Feathers on head are usually ruffled only for anger or 'takes.'*"

In these penciled instructions to guide animators as they drew Mickey Mouse and Donald Duck, one can read the history of a popular art form as it attained its first—and perhaps only—golden age.

The time was the 1930s and early 1940s. The place was the Walt Disney Studio. Members of the young team that drew Mickey, Donald, Pluto, Goofy and the rest of its barnyard denizens were early students of what is now referred to as body language. They understood that, on the screen, action is character, that in the exaggerated twitch of one of their little anthropomorph's bottoms, the stretch of his back or the lift of his ever-scampering feet they could, with fine comic efficiency, show the state of his emotions. The history of animation from the Mouse's introduction in 1928's *Steamboat Willie* to the apotheosis of the high Disney style in such features as *Snow White* and *Pinocchio*, *Dumbo* and *Bambi*, roughly a decade later, can be seen as a process in which movement became subtler and more complex, with a parallel growth in the expressive range of the studio's "stars." The animators learned to incorporate tragedy (the panic of a lost boy in *Pinocchio*, the death of Bambi's mother) in what the public persisted in calling "cartoons."

The evidence of this disciplined rush to perfection of technique and technology can be seen at New York's Whitney Museum of American Art in "Disney Animations and Animators." Preliminary character and background sketches, animators' roughs of entire sequences, cels (the finished ink and paint drawings that the camera photographed), even film loops in which roughs and completed films are juxtaposed—all are there. The show provides a singular insight into the painstaking work of the talented artists who competed to realize Disney's dreams.

A few critics have argued that what the burst of creativity achieved was instant decadence. They see in the primitive purity of Ub Iwerks, Disney's first great collaborator and the man who designed the immortal Mouse, a whirlwind comic force, simple and unsentimental, that for high, mean spirits was never matched. It is true that in Iwerks' rubbery stick figures and bare backgrounds there was an elemental anarchy that is still delightful. But one has only to look at Norm Ferguson's roughs for *Playful Pluto*, in which he

Readying Donald for *The Band Concert* (1935)

Tripping up Pinocchio (1940)

Putting the juice in Jiminy Cricket

caused his pup to be caught in flypaper for an entire reel of helpless hilarity to see what three-dimensional plasticity could do to enhance the range and delicacy of animated humor. When the whole Disney gang got going on something like *The Band Concert* or *Mickey's Service Station*, the allegro pace of comedy bits could be staggering. That these shorts appeared just seven years after Mickey's debut gives some indication of the tempo of inventiveness at the studio.

What is perhaps most valuable about the exhibit is the care with which Curators John G. Hanhardt and Greg Ford have sorted out the individual contributions of the animators. All of them could outdraw the founder, who hung up his pencil early to assume the role of a demanding, inspiring editor. Though Walt tended to get the credit for everything that came out of the studio, its style was really the creation of many artists, each one honing a speciality. Ward Kimball, Les Clark and Frank Thomas were particularly adept at complicated fast-moving action sequences, while Art Babbitt concentrated on large, slow, furry creatures like Goofy and the Big Bad Wolf. Grim Natwick, who created Betty Boop for another studio, was the early specialist in femininity. Eric Larson's skill with cute round little animals contrasted nicely with John Lounsbery's sleek menace—Cruella in *One Hundred and One Dalmatians*, Alex Alligator in *Fantasia*. That film, of course, was the great test of the studio's range and included such marvelous, unprecedented imagery as Wolfgang Reitherman's massed battling dinosaurs and the dark demonism of Vladimir Tytla's work on the *Night on Bald Mountain* sequence. And who can forget Preston Blair's little masterpiece, the hippopotamuses in their tutus doing the "Dance of the Hours."

With *The Fox and the Hound*, a new generation of animators has shown that they can strip away the adorable encrustations of three or four decades, but it is unlikely that a conclave of talent like the old one will again be assembled. Certainly it is regrettable that a bitter labor dispute in 1941 and the necessities of war work brought an end to the questing spirit of the Disney Studio in its glorious morning. But under the shrewd eye of its founder, it defined the possibilities of a unique art form—and, in the process, created some of the cinema's best moments. *—By Richard Schickel*

A cel portrait of two classic pals

Two frolicsome friends: a pup called Copper and a little fox named Tod

The New Generation Comes of Age

THE FOX AND THE HOUND *A Walt Disney Production*

It begins with no music, just a whipsaw wind. Through the gauze of dusk forms a cluster of stars—no, a spider's web—the filigree work of predestination, trapping every animal who will pass through this forest. A fox sprints over the tall grass, fear in her eyes, an infant fox dangling from her clenched teeth. A gunshot sounds; a flock of birds rises from the grass. The fox is dead, her infant an orphan. Happy summer, boys and girls! This is the new Disney cartoon feature.

How curious: in a season when the brightest American film makers hope to provoke nothing more complex than a belly laugh or a body blow, the Disney organization has produced a movie that confronts the Dostoyevskian terrors of the heart. In tone, *The Fox and the Hound* is a return to primal Disney, to the glory days of the early features when the forces of evil and nature conspired to wrench strong new emotions out of toddlers and brooding concern from their parents. *The Fox and the Hound* lacks the craftsmanship and concise wit that brought a dozen or more characters to idiosyncratic life in the earlier films. The comic relief is perfunctory at best, the five songs are just barely hummable, and the picture takes a while to get started. But if there is no magic here, there is something almost as rare: a moral weight that gives Daniel P. Mannix's tale of thwarted friendship a sweetly somber air.

Tod, the orphan cub, is taken in and raised by kindly Widow Tweed, whose farm occupies a patch of rural terrain somewhere in the American mid-century. Down the road a pace is the shack of Amos Slade, a grizzled old hunter who keeps a grizzled old hound dog named Chief and a cheerful hound pup, Copper. The film tracks the entwined lives of Tod and Copper, first as frolicking youngsters, then as troubled adversaries all too aware of the genetic imperative. The title states the dilemma succinctly: Tod is a fox, and Copper a hound. One must be chased, caught and killed by the other. These are the roles they were born—and perhaps must die—to play, and no childhood bond can change them.

So *The Fox and the Hound* is a chase movie, an essay in dramatic movement comprising approximately 360,000 drawings and 110,000 painted cels, projected at 24 frames a second. As Tod and Copper learn more about themselves and each other while on the run, so the young Disney artists making their feature-film debut here realize the emotive and kinetic power of animation in the chase sequences. They are as finely shaped and paced as the desert drive in *Raiders of the Lost Ark*—and almost as violent. More important, they suggest a dimension of conflict within as well as between the antagonists. Will Tod escape not only the surly Chief but his old friend, now a deadly nemesis? Will Tod defend Slade, who has sworn to kill him, against the attack of a huge, ferocious bear? Will Tod and Copper ever be friends again?

The answers will not be found here. children and adults alike deserve to see the film and be surprised by its resolution. But it can be said that by film's end an uneasy truce obtains. Like pairs off with like, and the childhood friends are last seen in their separate worlds, awash in rueful nostalgia and a musical score that ends in a minor key. Viewers should be less melancholy. They need not leave this film comparing it unfavorably with the great Disney films of everyone's youth. Instead, they can savor the serious pleasures of *The Fox and the Hound* and, with the rise of a talented new generation of Disney animators, look for greater pleasures to come. *—By Richard Corliss*

Jane shares an intimate moment with an orangutan in her new *Tarzan, the Ape Man*

Tarzan Goes to Court

A judge cuts some nudity, leaving only a little Bo peek

"You could say this is a sexy Tarzan film," says Bo Derek, "but there is nothing lewd or obscene about it. It's pure sex, and there's a lot of nudity, but it all appears very natural."

—MGM press release

It did not appear all that natural to Edgar Rice Burroughs, Inc., corporate guardian of Tarzan's good name. An R-rated *Tarzan, the Ape Man?* One produced by and starring the sexiest number in *"10,"* and directed by her husband John? Convinced that the film would besmirch the jungle lord's reputation, the Burroughs estate went to court. Last week in Manhattan, Federal Judge Henry Werker previewed the film and re-viewed two earlier MGM versions of Burroughs' first *Tarzan* novel. His "suggestion": that MGM cut four sequences displaying Bo in various stages of undress. According to John Derek, Werker took the last three reels of the print into a Manhattan editing room and indicated with a grease pencil which scenes should be removed. MGM has agreed to the cuts. Burroughs, Inc., still threatens to sue to stop release of the film. And the Dereks are emitting animal cries of rage.

Author Burroughs

At issue is the wording of a 1931 contract between Burroughs, who died in 1950, and MGM. For $20,000 the studio bought the rights to the author's 1914 novel, plus permission to remake the film on the condition that any remake adhere to the spirit of the first film. With Johnny Weissmuller as the displaced Lord Greystoke and Maureen O'Sullivan as his comely mate Jane, MGM's innocently sensuous 1932 film was a box office hit and spawned a swampful of sequels. The sequels were not covered by the 1931 agreement, but MGM's 1959 remake was, and so is the new Derek version, which co-stars Miles O'Keeffe as the Ape Man.

"We spend a lot of time policing all over the world," says Burroughs grandson Danton, "trying to stop the infringers." In 1977 the courts ruled that a sexy French cartoon could not use the name *Tarzoon*. Last year, before the Dereks' $5.5 million production had begun filming, the estate asked for an injunction to stop Bo's show. It was denied. "The Burroughs people are sue-happy," says John Derek. "But since we were aware of the estate's opposition, we were very careful to stay within the guidelines. The studio looked at all the rushes. They agreed this would be an R-rated film, but now they won't fight. They're desperate to meet their July 24 release date." Adds Bo: "The judge is engaging in obvious censorship, telling us which bits of nudity to cut."

About four minutes are being cut from the film. In one deleted sequence, which Bo describes as "really sweet and cute," the star wrestles topless with an orangutan. In the other, her nude body is painted in preparation for sacrifice to the dread Ivory King. Says the director: "The sacrifice scene was done in the finest of taste —taste the Pope would applaud."

The Aphrodite Wet Look on the beach

It seems the Pontiff will be denied that opportunity. And generations of aging boys, who recall Maureen O'Sullivan's nude swimming scene in the 1934 *Tarzan and His Mate*, will be forced to make do with a little Bo peek. Meanwhile Hollywood is happy to have another *scandale* on its hands. "Well, well, well," drawled one director working on the MGM lot. "Junglegate."

—By Richard Corliss. Reported by Dean Brelis/New York and Elaine Dutka/Los Angeles

Me Tarzan, you Jane, who he? Bo, the beast and Miles O'Keeffe as the Ape Man

The topless romp was "sweet and cute"; the sacrifice scene was "in the finest of taste."

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sex

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Then you will
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a totally different
vision of sex.
It will be
more fun, more joy,
more friendship,
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a serious affair,
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Medicine

Surgical Trauma in California

Davis center suspends heart operations, kidney transplants

The University of California Davis Medical Center (U.M.C.) was increasingly cited for excellent patient care and impressive research, particularly in heart disease. But its reputation has now suffered a brutal blow. At the palm-lined campus in Sacramento, all kidney transplants and heart surgery have been suspended because of charges of excessive complications and high mortality rates.

According to a report prepared by U.M.C.'s cardiologists, the facility's four heart surgeons operated on 346 patients over a 22-month span in 1979 and '80. The results: 17% died and 40% of the 288 survivors had surgical complications. Nationwide, the mortality and morbidity rates for heart surgery are, respectively, about 2% and 8%. The kidney transplant ban results from charges of "gross incompetence and negligence" leveled at Chief Kidney Transplant Surgeon Satya Chatterjee by Dr. William Kirby, a former senior resident in urology at U.M.C., and Nurse Kathleen Whittemore, the hospital's former transplant coordinator.

Chatterjee, 42, now on sabbatical, has practiced for four years at the 405-bed facility. Between 1977 and '79, says Kirby, 24% of Chatterjee's 55 patients rejected kidneys and 36% required additional operations, because of surgical errors. The comparable figures for departmental colleagues, he notes, were no higher than 6% and 18%. In 6½ months in 1980-81, Kirby claims, Chatterjee performed 23 more kidney transplants, and 25% of the patients died. Nationally the mortality rate after one year for kidney recipients is around 10%, and in some centers it is under 5%.

U.M.C. officials are hesitant to comment on just what the heart and kidney statistics may mean. Cautions U.M.C.'s Chief Nephrologist Paul Gulyassy: "Don't assume that every time anybody dies there is negligence." Irate patients and families, however, have slapped U.M.C. with 20 lawsuits seeking more than $500 million in damages.

In addition to raising questions of competence, the controversy has cast doubt on the effectiveness of U.M.C.'s self-policing machinery. Long before last June, when the charges became public, U.M.C. cardiologists had apparently lost faith in their in-house surgeons and were routinely referring difficult cases to other institutions. Last December, after reviewing the records of heart surgery patients at U.M.C., the cardiologists presented Medical School Dean Hibbard Williams with a report containing the depressing statistics. Williams ordered a review but apparently took no other action. At that point cardiologists became so upset that they began referring almost all patients needing heart surgery to other facilities.

Kirby and Whittemore began complaining to U.M.C. officials about Chatterjee's performance in 1979. Kirby contends that an internal investigation focused on personality conflicts among staff rather than the surgeon's competence. "There is no effective peer review at the medical center," declares Kirby.

Apparently others agree. U.M.C.'s performance is now being investigated by the Joint Commission on Accreditation of Hospitals, California's department of health and the state's board of medical quality assurance. ■

The Sacramento facility with a bruised reputation; inset: Chatterjee

Calling into question technical skills and the efficacy of self-policing.

He Was His Own Best Whodunit

SHADOW MAN: THE LIFE OF DASHIELL HAMMETT *by Richard Layman*
Harcourt Brace Jovanovich; 285 pages; $14.95

Everyone knows about private detectives. Few realize that these tough-talking loners, made familiar through countless novels, films and television serials, were mostly cloned from a prototype invented during the 1920s by Samuel Dashiell Hammett. He is not a familiar figure, and in fact never was. His trade was writing mysteries; he kept the plot of his own life story largely to himself. He confided little to his lovers and less to his friends. Legal authorities, interested in his political activities with leftists and Communists, got nothing at all. Hammett's life began and ended in obscurity. For about a decade in between, he somehow managed to be both famous and utterly enigmatic.

Biographer Richard Layman has gathered most of the clues to this puzzling case. He got no help from Playwright Lillian Hellman. Hammett's friend and frequent companion during the last 30 years of his life, but this handicap is not crippling. Hammett had done his best work by the time he met Hellman. The crucial years, when he raised pulp writing to the level of art, were already behind him.

Born in 1894, Hammett grew up in Baltimore and quit high school after one semester to help bolster his family's income. He held some odd jobs and then joined Pinkerton's National Detective Agency in 1915 at a salary of $21 a week. Pinkerton's kept detective reports anonymous, so exactly what Hammett did in the line of duty cannot be checked. He later claimed that he was once sent out to find the thief who had stolen a Ferris wheel. He left Pinkerton's after three years to enlist in the Army, but less than a year later he was discharged, severely disabled with tuberculosis. He went West, married a nurse he met during one of his hospitalizations and did part-time work for Pinkerton's offices in Spokane and San Francisco. But his poor health made a regular job impossible. Pinched for money, he began making up detective reports and sending them off to magazines.

He succeeded quickly. His fiction filled a gap between the elegant puzzles of the Conan Doyle school and the dumb gore and violence of the pulp magazines. Typical Hammett detectives, like the Continental op and Sam Spade, got their hands dirty but kept their minds alert. They often found that those who had hired them were criminal or corrupt; they prowled, lonely paladins of justice, through stark landscapes of betrayal and greed. Hammett's stories paid the rent. His novels, especially *The Maltese Falcon* (1930) and *The Glass Key* (1931), brought him an international reputation.

Hammett poses for *The Thin Man* cover

Even while critics hailed him as Hemingway's equal, Hammett was losing his drive and his touch. He discovered that he could live handsomely off subsidiary rights. *The Thin Man* (1934) was his last and most careless novel; it ultimately brought him almost $1 million from film and radio serializations. Hollywood kept recycling his material; the 1941 version of *The Maltese Falcon*, with Humphrey Bogart and Sidney Greenstreet, was the third film based on that book in ten years. Hammett had always shown a streak of to-hell-with-it independence, and success made him increasingly reckless. He partied and drank too much, offended studio heads and publishers with his disregard for deadlines. He ran up huge bills that he declined to pay.

If Hammett had any political convictions before he became friends with Hellman, he apparently kept them to himself. Layman argues that "Hellman's influence" chiefly led Hammett into liberal, antifascist crusades in the late 1930s. This may explain his initiation but not the zealousness that followed. In 1937, like many writers at the time, he became a champion of the Loyalist side in the Spanish Civil War. By 1940 he had moved far to the left and was working to get the Communist Party slate on state ballots in time for the upcoming election. His conversion was swift and complete. Writes Layman: "It seems likely from the responsibilities Hammett was given for Communist activities that he joined the party in 1937 or 1938."

He served his country during World War II, enlisting as a private at age 48 and ultimately running a camp newspaper on the island of Adak in the Aleutians. The postwar climate grew chilly to Hammett's politics. Ordered to testify before a federal judge in 1951, he appeared but refused to cooperate and was sentenced to six months in jail for contempt. When he got out, his income had dried up, and he faced claims for more than $110,000 in back taxes. He died even more deeply in debt in 1961.

Layman avoids speculation and sticks to the facts. This approach inspires both trust and a question: What kind of man, finally, was Hammett? A satisfactory answer may be impossible. *Shadow Man* tells a fascinating and tantalizing story. It also suggests just how cleverly the old detective covered his tracks. —*By Paul Gray*

Excerpt

"By 1947, he had all but given up attempts to regenerate his writing career, and he complained to an acquaintance that most days he saw no reason to get up in the morning. Though he enjoyed solitude, at other times Hammett craved the sense of camaraderie that alcohol gives. Just after he returned to New York, he learned that a woman who had served in the U.S.O. on Adak was living in Manhattan. He asked her out for dinner and nightclubbing. They began the evening in midtown and drank their way to Harlem. As Hammett got drunker, he became louder, ruder, and more talkative. Finally, at nearly five in the morning, his date had had enough, and she asked him to call her a cab so she could go home. When he refused, she hailed a cab herself. As she was entering the car, Hammett begged her: 'Please don't leave me alone.'"

Foolish Grit

MORNINGS ON HORSEBACK
by David McCullough
Simon & Schuster; 445 pages; $17.95

The family surrounding the childhood of Theodore Roosevelt seemed emblematic of all that was best in America: energy, innocence, gilded charm.

First there was father, Theodore Sr. From 6 in the morning until midnight, he attended to the family businesses —plate glass, real estate, banking. Simultaneously, he threw himself into philanthropy, rehabilitating New York's urchins with what his friend John Hay, later Secretary of State, described as "maniacal benevolence."

Floating like a swan in the wake of Theodore Sr. was his adoring wife Martha, a Southern belle who conveyed into middle age the voice of flute song, the fragrance of blue violets. Besides Teddy, known as "Teedie," there were three other children, all equipped with their own preppie nicknames: Anna, known as "Bamie," Elliott, known as "Ellie," and Corinne, known as "Conie."

Whether bursting the seams of a five-story New York City brownstone and a summer home at Oyster Bay, or sailing up the Nile in the winter of 1872-73, the Roosevelts appeared to be living one inspired moment after another. A friend observed that they constituted "a family so rarely gifted as to seem ... touched by the flame of the 'divine fire.'" But, as David McCullough's family portrait reveals, tragic cracks flawed all the Roosevelts, particularly the man who was, as if by mutual choice, the family's crown prince.

Teddy Roosevelt has become a kind of national myth, a Charles Atlas of the body and soul who proved the American credo: a man can make himself anything he wants to be. But McCullough argues that Teddy's childhood asthma was at least partly the psychosomatic complaint of a boy suffocated by the burden of overachievement.

At the age of 13, while boasting a voice like an "ungreased squeak," Teddy was given a large pair of spectacles and a 12-gauge double-barreled shotgun. With his new glasses he discovered birds for the first time. With his new toy he shot them by the hundreds. This metaphor of myopic aggression dominates the book.

A superb historian, McCullough (*The Path Between the Seas, The Johnstown Flood*) has done his homework on everything affecting Teddy's early life. He expounds the latest theories on asthma; young Roosevelt's matriculation at Harvard is the occasion for an evocative set piece on undergraduate life in the 1870s; after the graduate becomes a New York assemblyman at the age of 23, McCullough weaves in a marvelous little essay on Tammany-style logrolling.

Theodore Roosevelt as "the plainsman"

The moral geography of Edgar Allan Poe.

But *Mornings on Horseback* finally lacks the salient characteristic of the Roosevelts—enthusiasm. In spite of Teddy's strenuous self-improvement and relentless self-discipline, McCullough finds something spoiled about the prig who talks of keeping himself "pure," for some "rare and radiant maiden" and postures for the camera as "the plainsman" in custom-tailored buckskins with dagger and sheath from Tiffany. The author appears to prefer Black Sheep Elliott, who, lacking what he called his brother's "foolish grit," collapsed under the responsibility of being a Roosevelt, although surviving long enough to father Eleanor, the wife-to-be of Franklin Delano Roosevelt, before dying an alcoholic at 34.

The Roosevelts were a blessed and blighted family—an American tragedy as well as an American success story. One of them ought to have seen this, and that someone, McCullough implies, should have been Teddy. In the Badlands of Dakota, while recovering from the deaths (on the same day) of his mother and first wife Alice Lee, Teddy, at 25, wrote of "melancholy pathless plains" and "deathlike stillness"—the moral geography of Edgar Allan Poe. Here he came as close as he ever would to confessing to his demons. But in the end, the Rough Rider, pronouncing life to be bully, went out on horseback in the morning, with his latest glasses and his latest shotgun, and fired away at everything living. McCullough scrupulously follows his subject. But because of Teddy's determined blindness of heart, he cannot love him or quite forgive him.

—By Melvin Maddocks

Resister

IN THE BELLY OF THE BEAST
by Jack Henry Abbott
Random House; 166 pages; $11.95

Since the 19th century, literature has housed a number of professional resisters, from the cast of Dostoyevsky's *The Possessed* and Melville's *Bartleby the Scrivener* to Camus's *The Stranger*. The letters of Convict Jack Abbott extend and ultimately strain that tradition. Part polemic, part existential survival manual, *In the Belly of the Beast* was culled from 1,000 pages of handwritten missives to Norman Mailer, then composing *The Executioner's Song*. Its message is brief, but it echoes like a slammed door in the corridors of maximum security.

Abbott, 37, has impeccable credentials: since age twelve, when he was convicted of passing a bad check, he has been free for all of 9½ months. He robbed a bank and by 21 had murdered a fellow inmate who tried to intimidate him. In the past quarter-century he has spent a total of more than 14 years in solitary confinement, a certified hard case.

Abbott's agonies began before the prison reforms of the '60s. Once he was chained to a floor naked for 13 days. Another time he was kept in darkness for a month. He was sometimes forced to eat insects to survive. Reform was even more horrifying. Heavy injections of Thorazine —chemical lobotomy—replaced the jackboot. Overcrowding forced Abbott into cells with ethnic militants, who derided his Chinese-Irish heritage. Homosexual punks and homicidal psychopaths were everywhere. "It is only a matter of time," he notes, "if you love life too much or fear violence too much, before you become a thing, no longer a man ... lending yourself to every conceivable low, evil, degrading act anyone tells you to do." Or, like Abbott, you exert beastliness to preserve the soul. In the penitentiary world, he says, a man can "*despair* because he cannot bring himself to murder."

Abbott's tireless defiance is informed by a unique education. A sixth-grade dropout, he began reading seriously during some three years of solitary in a Utah prison. He consumed—but did not wholly digest—Hegel and Marx, Kierkegaard and Camus, mathematics and physics. "Nine-tenths of my vocabulary I have never *heard* spoken," he writes. Unsurprisingly, Abbott is ingenuous about a worldwide Marxist revolution and hysterically partisan about "pigs" (guards). Yet his letters belong with the best prison literature, not because of their accounts of atrocity, but for their disturbing picture of daily life behind bars.

As Mailer notes, Abbott's trials are far from over. His gift for survival now faces its newest and hardest test. He has been paroled to freedom for the first time in 25 years.

—By J.D. Reed

Consigned to the Garbage Can

Some of Hollywood's biggest bombs have yet to explode

Chances are that the average filmgoer thinks he has seen some bad movies this year: *Heaven's Gate* (if he was fast enough), *The Legend of the Lone Ranger, Thief, Nighthawks.* But bad is a relative word, and on studio shelves in Hollywood and Europe there are scores of unreleased pictures that are bad, really bad and really, really bad. "The paying American public has no idea what a bad movie is," says John Alan Simon, who has seen most of them. "There are hundreds of movies that you literally couldn't pay people to sit through."

Simon knows. He has become an expert on bad films, and makes a very good living searching for the occasional good work that has been thrown out with the garbage. Simon, president of Discovery Films, has already found two modest winners. The first, released in 1979, was *The Wicker Man,* a British occult thriller written by Anthony Shaffer *(Sleuth),* researched by his brother Peter *(Amadeus);* it starred Horror Master Christopher Lee. The second, *The Haunting of Julia,* stars Mia Farrow and has already won praise in limited runs in Washington, D.C., and Seattle. "Smaller films require a special kind of handling that the studios are not interested in providing," says Simon. "Every film doesn't have to be a blockbuster. For the industry to be healthy there have to be films that some people aren't going to like but that others will find value in."

A Harvard graduate, Simon, 30, came to films in a roundabout way. While he was teaching writing at the University of Illinois, he learned that his students were unable to write a decent sentence—and uninterested in reading one. But they could talk intelligently about movies. Realizing he was licked, Simon gave in and became a film critic in New Orleans. During an interview, Director Francis Coppola told him that the studios were not concerned with small pictures, which often either were not released or died for lack of proper distribution, as did his 1974 film *The Conversation.*

BARTHOLOMEW—BLACK STAR

John Alan Simon on a treasure hunt

Determined to become the champion of such movies, Simon began his search for other *Conversations* that might be on studio shelves. Sometimes the studios did not even know they had a film. Executive offices change hands often in Hollywood, and each new team conveniently forgets some of the projects beloved by its predecessors. There are other mishaps: negatives can be lost, or a film entangled in legal disputes. But most unreleased movies, Simon soon realized, remain in the cans for a very good reason: they stink.

How about *Tender Dracula,* for instance? Peter Cushing plays the Transylvanian blood bank, luring French Star Miou-Miou to his castle. She runs around in a nightie and bursts into song every time he approaches. Boohoo, Miou-Miou. Or *Leonora,* which stars Liv Ullmann and was directed by Luis Buñuel's son Juan? Ullmann dies, and her husband sells himself to the devil to bring her back to life. Unfortunately he fails to read the contract's fine print, and Ullmann returns as a werewolf. *Leonora,* in short, is a howler.

Simon, who likes good movies but is resigned to bad, can go on forever with examples. Hidden away in another dark corner is *Power Play,* with Peter O'Toole, Donald Pleasance and David Hemmings. The story is about a revolution in a mythical Middle Eastern—or perhaps South American—country, where half the inhabitants sound as if they had graduated from Oxford, and the other half mutter in impenetrable accents of undetermined origin. It is not clear if that language barrier is the reason for the revolt, but O'Toole, despite his haggard, dazed look, eventually leads it. A second possible cause of the uprising might be the sudden arrival of Dick Cavett, who does a cameo interviewing a general.

Equally unsettling is the appearance of Brigitte Bardot in another of Simon's shelved favorites, *Don Juan as a Woman.* Bardot, overwrought and overweight, struts around in skintight toreador pants. The mere sight of her causes men to destroy themselves, though perhaps not for the reasons the director intended. If there were any logic in the film world, Bardot would have taken charge of the coup in *Power Play,* and O'Toole—or even Cavett—would have played Don Juan as a man, which most histories say he was.

Simon has now determined that there are certain basic laws governing bad films. "One of the keys to failure is when one person has three or more credits," he says. "If someone has written and directed a movie and also starred, the odds are 50-50 that it's terrible. If he has one more credit in addition to that, the odds go up to 95%." Another basic law is that most shelved films feature Donald Sutherland *(Blood Relatives, The Disappearance, Bear Island).* The ones without Sutherland are likely to employ Richard Burton: one of Burton's unexploded bombs is *Circle of Two,* which is—hold on tight—the story of a college professor who has an affair with Tatum O'Neal. And that leads, appropriately enough, to Simon's final law: "All films are guilty until proven innocent." ***—By Gerald Clarke. Reported by Jeff Melvoin/Los Angeles***

Mia Farrow in *The Haunting of Julia*

Special handling can help.

Burton and O'Neal in *Circle of Two*

Basic laws govern bad films.

Essay

There Must Be a Nicer Way

The question comes from the Rev. Donald Wildmon, head of the National Federation for Decency: "Where is the TV show about a modern home with decent people?" The glib answer is: Nowhere. Ordinarily, a crusade to purify the tales shown on the tube would deserve only that short shrift. But Wildmon's question begs for a more thoughtful response, if only because TV's gory and jiggly tales are not the only ones that are conspicuously short on niceness. The same can be said of most all the world's fiction, narrative or dramatic, trash or quality.

True, ostensibly decent people turn up now and then in literature, but they almost never get depicted as being swept away by impulses to sweetness. They are more often set up for a comedown. On one end of the literary spectrum, Hamlet might have been a pleasant fellow if Shakespeare had not handicapped him with that belief in ghosts, plus suicidal and homicidal tendencies. On the other end, given the way authors are, Jack is bound to wind up falling all over himself every time he tries to fetch a pail of water. In truth, the world's literary and theatrical output, from high drama to nursery rhymes, is as violent and vice-ridden as yesterday's news. Poet Ezra Pound may have had something of the sort in mind when he said: "Literature is news that stays news."

ILLUSTRATION FOR TIME BY MICHAEL C. WITTE

Storytellers, like journalists, have never been much for emphasizing the sweet, the decent, the well behaved. Odysseus, to pluck an early example from Homer, was a wife-neglecting troublemaker if there ever was one. Even in the inspired stories of the Bible, people seldom behave very well, beginning with Adam and Eve and proceeding to Cain and Abel and the folk in Sodom and Gomorrah. Contemporary fictions create their own mischief: Portnoy, for example, spends precious little time collecting for the United Fund.

Can nothing be done, then, to satisfy what might be called the niceness market? Surprisingly the answer is yes, something *could* be done. Somebody *could* produce a Literature of Niceness to supplement the not-so-nice real thing. In a society that is overloaded with writers, there must be imagination enough to contrive sunnier alternative life-styles for many of the fictional characters who otherwise will endure in the pain, anguish and futile passion imagined by their authors. Why, for one instance, shouldn't King Lear be seen in some truly golden retirement years, preferably in an adults-only community? And why not a tale in which Othello and Desdemona kiss and make up? Imagine Lady Macbeth joining the Gray Ladies. Or Molly Bloom enrolling in needlepoint class. Or Sir Clifford Chatterley making a successful pilgrimage to Lourdes.

Could not *Heart of Darkness* be offset by *Heart of Lightness*, in which Marlow narrates how the kindly Mr. Kurtz dedicated himself voluntarily to training the tribes along the Nile in personal hygiene? Might not *The Call of the Wild* be counterbalanced by *The Call of the Tame*, in which a big, clumsy, good-natured dog named Buck goes on a tour of Hollywood homes, including Lassie's? Who could be offended if *An American Tragedy* spun off a happy shadow called *An American Comedy*, in which Clyde Griffiths saves his girlfriend Roberta from drowning and receives a $7.50 reward from the grateful foreman of the factory in which Roberta is considered irreplaceable? Another natural would be *Life of a Salesman*, in which Willy Loman, 63, invited to take early retirement by his company, finds fulfillment in the neighborhood shuffleboard league.

Indeed, the entire subject merits serious attention. What is clearly needed is a Five-Foot Shelf of Nice Stories. Some initial possibilities:

The Brothers Karamazov. Dmitri, Ivan and Alyosha Karamazov give Daddy a surprise Father's Day party.

Dr. Jekyll and Mr. Hyde. A good doctor stumbles onto a magical chemical that transforms him into an even better Mr. Hyde, in which guise he organizes fellow townsmen into a bandage-rolling society.

Oliver Twist. A patriotic English boy contributes to prosperity by going on a low-fat, low-protein, low-carbohydrate diet.

Dr. Faustus. Tempted by the devil, the doctor, a chiropractor, finds that temptation rubs him the wrong way and so gives the devil a quick brush-off.

Dracula. An affable count of the title achieves celebrity status in his Transylvania community by becoming the first citizen to show up when the new blood bank holds its first blood-donation day.

Anna Karenina. A pretty young Russian matron gets a certain Count Vronsky interested in stamp collecting and so saves him from wasting his life in passion and frivolity.

The Picture of Dorian Gray. An adventurous young man takes up painting and captures the essence of evil in one great portrait.

Uncle Tom's Cabin. Generous Uncle Tom designs and builds a play cabin in the backyard for his favorite niece Eliza.

Tobacco Road. The people in a small Georgia town throw their tobacco products into the main street after Jeeter Lester and his family persuade them to give up smoking, chewing and dipping.

Madame Bovary. Emma, a young Frenchwoman, finds contentment in marriage and work with the Welcome Wagon.

Appointment in Samarra. A young American husband succeeds in pulling himself out of a sulk in time to keep a date with the orthodontist.

Still, one may wonder whether this kind of story has much pulling power. The human spectator's time-tested preference for the un-nice in stories and drama may be obvious, but the reasons for it are surely not. Aristotle, with an eye on formal tragedy, believed that by identification with the anguished souls onstage, spectators could purge themselves of burdensome emotions buried in real life. William Faulkner more than once said that he created characters in violent circumstances in an effort to get at "the truth of the human heart," and it may be that many readers and viewers of fiction have some kindred goal.

It was left for Leo Tolstoy to underscore most aptly the mundane reason for mankind's taste in viewing and reading. Wrote he: "Happy families are all alike; every unhappy family is unhappy in its own way." Niceness, in other words, however admired in real life, is inherently repetitious and boring as a subject of fiction. Is it possible that the very weakness that makes the human species difficult if not evil is the main thing that makes it interesting? If so, that is scarcely the only contradiction in the human drama. Alas, one may, plausibly enough, wonder whether humankind, if it had remained in Eden, might not have perished of ennui.

—Frank Trippett

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